Indictment Burglary of a Building

Bond $ same

In The 331st Judicial District Court of Travis County, Texas

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

THE GRAND JURY, for the County of Travis, State of Texas duly selected, empaneled, sworn, charged, and organized as such at the July Term A.D. 1991 of the 331st Judicial District Court for said County, upon its oath presents in and to said court at said term that Michael Dailey and Rodney Canion and Christopher Lamprecht on or about the 18th day of October A.D. 1991, and before the presentment of this indictment, in the County of Travis, and State of Texas, did then and there with the intent to commit theft, knowingly and intentionally enter a building which was not then open to the public, without the effective consent of Rich Whiteley, the owner,

against the peace and dignity of the State.

Consuelo Moreno

Consuelo Moreno
Foreman of the Grand Jury

FILED

OCT 30 3 35 PM '91

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

Indictment Burglary of a Building

Bond $ same

In The 331st Judicial District Court of Travis County, Texas

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

THE GRAND JURY, for the County of Travis, State of Texas duly selected, empaneled, sworn, charged, and organized as such at the July Term A.D. 1991 of the 331st Judicial District Court for said County, upon its oath presents in and to said court at said term that Michael Dailey and Rodney Canion and Christopher Lamprecht on or about the 18th day of October A.D. 1991, and before the presentment of this indictment, in the County of Travis, and State of Texas, did then and there with the intent to commit theft, knowingly and intentionally enter a building which was not then open to the public, without the effective consent of Rich Whiteley, the owner,

against the peace and dignity of the State.

Consuelo Moreno

Consuelo Moreno
Foreman of the Grand Jury

FILED

OCT 30 3 3 PM '91

Marcia Rodriguez-Hardage

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

THE STATE OF TEXAS X IN THE MUNICIPAL COURT,
COUNTY OF TRAVIS X CITY OF AUSTIN,
X TRAVIS COUNTY, TEXAS
X

AFFIDAVIT FOR WARRANT OF ARREST AND DETENTION

The Undersigned Affiant, who after being duly sworn by me, on oath, makes the following statement:

I HAVE GOOD REASON TO BELIEVE AND DO BELIEVE THAT CHRISTOPHER LAMPRECHT WM 5-22-72, MICHAEL DAILEY WM 1-7-72, RODNEY CANLON WM 4-6-68 ON OR ABOUT THE 18TH DAY OF 1991, DID COMMIT THE OFFENSE OF BURGLARY OF BUILDING, A SECOND DEGREE FELONY.

ON 10-18-91 OFFICERS H. CAMPBELL AND S. HUTCHINSON WERE CALLED TO 4911 AGAVE COVE ON A SILENT ALARM CALL AT 2:45AM. THE ADDRESS IS FOR A BUILDING CALLED GREAT HILLS CORPORATION CENTER. THE BUILDING LEASES TO SEVERAL DIFFERENT COMPANIES WHICH DEAL IN COMPUTERS, INSURANCE AND A SECURITY COMPANY. WHEN THE OFFICERS GOT TO THE BUILDING A DOOR WAS FOUND OPEN ON THE SOUTHEAST SIDE. WHEN THE OFFICERS ENTERED THE BUILDING THEY FOUND THREE SUSPECTS HUDDLED IN A CORNER ON THE SOUTHWEST SIDE OF THE BUILDING ON THE FIRST FLOOR. THERE WAS A BAG IN POSSESSION OF THE THREE THAT CONTAINED A FLASHLIGHT, HAMMER, SCREWDRIVER, WIRECUTTERS, PLIERS, CROWBAR, AND COMPUTER PART REFERRED TO AS A MOUSE. ALL THREE SUSPECTS WERE ARRESTED FOR BURGLARY AND WERE IDENTIFIED AS CHRISTOPHER LAMPRECHT, MICHAEL DAILEY, AND RODNEY CANLON. SGT. BURT INTERVIEWED LAMPRECHT ON THE 18TH AND FOUND THAT ALL THREE SUSPECTS ARE STUDENTS AND ALL THREE HAVE KNOWLEDGE ABOUT COMPUTERS. ALL THREE OWN COMPUTERS AND LAMPRECHT HAS DONE COMPUTER PROGRAMING AS A JOB. LAMPRECHT WAS WARNED OF HIS RIGHTS PRIOR TO THE INTERVIEW. WITH THE SUSPECTS IN POSSESSION OF TOOLS, THAT COULD BE USED TO BREAK INTO THE OFFICES, IT IS SUSPECTED THAT THE INTENTIONS OF THE THREE WAS TO ENTER SOME OFFICE WITHIN THE OFFICE BUILDING. THE DOOR OPENED TO THE OFFICE BUILDING HAD BEEN FORCED OPEN BY REMOVING A SCREW IN THE DOOR. THE MANAGEMENT COMPANY FOR THE BUILDING IS CALLED CONNAUGHT, INC AND THE GENERAL MANAGER, RICK WHITELY, TOLD SGT. BURT THAT NONE OF THE THREE SUSPECTS HAD PERMISSION TO ENTER THE BUILDING. THIS OFFENSE OCCURRED IN AUSTIN TRAVIS COUNTY TEXAS.

K. Burt
AFFIANT

SWORN AND SUBSCRIBED TO BEFORE ME BY THE SAID AFFIANT ON THIS THE 18TH DAY OF OCTOBER, 1991.

MUNICIPAL COURT AUSTIN, TEXAS

Magistrate, Municipal Court, Austin, Travis County, Texas

Notary Public in and for Travis County Texas. My commission expires:

ON THIS THE 18TH DAY OF OCTOBER, 1991, I HEREBY ACKNOWLEDGE I HAVE examined the foregoing affidavit and have determined that probable cause does exist for the issuance of a warrant of arrest for the individual(s) accused therein.

MUNICIPAL COURT AUSTIN, TEXAS

Magistrate, Municipal Court, Austin, Travis County, Texas

THE STATE OF TEXAS

VS.

Michael Dailey

IN THE 167th JUDICIAL DISTRICT COURT

OF

TRAVIS COUNTY, TEXAS

DEFERRED ADJUDICATION

ORDER RELEASING DEFENDANT FROM PROBATION

On this day, the Court having reviewed all proceedings in the above cause in which the Defendant, Michael Dailey, was placed on Deferred Adjudication pursuant to Sec. 3d (a), Art. 42.12 Texas Code of Criminal Procedure.

It appearing to the Court that said Defendant has complied with the terms and conditions of said Deferred Adjudication; and it further appearing that the period of probation has expired and that the defendant herein should be discharged.

It is therefore ordered that the proceedings against the defendant is hereby dismissed and the defendant is released from all penalties and disabilities resulting from the charge and Deferred Adjudication heretofore entered.

Signed this 3 day of Aug, 1993.

ADULT PROBATION OFFICER

JUDGE, PRESIDING

STATES ATTORNEY

313

12-88

VL 0745 PG 221

FILED

AUG 11 12 22 PM '93

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

ORDER OF COMMITMENT

RTA Cause No. 914976 Bond No Bond

TO THE SHERIFF OF TRAVIS COUNTY, GREETINGS:

Control No. _____

Michael Dailey (Name of Defendant) who having been brought before me this

August 5, 1992 (Today's Date) day at 730 p.M.

RTA/ATRP-Criminal Trespass/Felony/167th D.C.

charged with the offense _____

Is COMMITTED to the CUSTODY of the SHERIFF of Travis County, Texas, to be detained unless he/she complies with the conditions of bond set on this date or any amendment or modification thereof.

1. Defendant is ordered to appear in the ___ Justice Court Number ____
   ___ County Court at Law Number One, First Appearance Ofc, Rm 205
   XXX 167 th District Court
   ___ Austin Municipal Court
   on _____ (Appearance Date) INSTANTER at _____ .M.

2. If defendant is in custody on the above date, the SHERIFF is hereby ordered to present said defendant in the above Court on said appearance date and at all times said charge(s) or accusation(s) are called before said Court.

3. Bail is hereby set as follows: No Bond

4. Bond is acceptable if in compliance with Articles 17.03, 17.031, 17.04, and/or 17.08 of the Texas Code of Criminal Procedure.

The undersigned hereby certifies that the defendant has been warned of his/her rights under Art. 15.17 of the Texas Code of Criminal Procedure.

HEREINFAIL NOT of this ORDER but make due return showing how you have executed same.

ATTORNEY:

_____

RETAINED _____ APPOINTED _____

_____
Judge of the Municipal Court
of Travis County, Texas
(Acting as Magistrate)

White Sheriff | Green Defendant | Yellow Dist Clk/Crt Coord | Pink Dist/Co Atty | Gold Iss Court

* *

THE STATE OF TEXAS

VS.

Name Michael Dailey

Address 7103 Sungate

City Austin State Tx Zip _____

DOB 01/07/72 Sex M Race W P [redacted] S

* *

ORDER OF COMMITMENT

Issued August 5, 1992

Justice of the Peace Precinct Number ___

County Court at Law Number ___ ____

____th District Court ____

Austin Municipal Court XXX

Travis County, Texas

* *

SHERIFF'S RETURN

CAME TO HAND THIS 5 day of Aug, 19 92, at 730 o'clock P .M., and executed this 5 day of Aug, 19 92, at 730 o'clock P .M., by placing the accused in jail in Travis County, Texas.

Dan T. Richards
SHERIFF OF TRAVIS COUNTY, TEXAS

RT 663
by Deputy

Father Name Felix Dailey	Add. S. A.	Wk 463-6830 Ph. SA	
Bro Name David Dailey	Add. 12411 Blossom wood	Ph. 836-1977	
Frd Name Michael Stibb	Add. 3607 Greystone	Ph. 346-6419	
Name	Add.	Ph.	
Arrest Record This offense only			
Probation Current	Parole —	TDC —	
Attorney of Record Tom Davis	Add. 812 San Antonio, 6-20	Ph. 472-9154	
Interviewed by	Recommendation	Ph.	
Bond Fee Set at $20.00	by Judge		

CARD / OF / MISD. ÷ FEL.

*Pay personal bond fee in the amount of $20.00 to the Travis County Pretrial Services Office at the Travis County Courthouse (473-9381)

PERSONAL BOND

THE STATE OF TEXAS
COUNTY OF TRAVIS

CAUSE No. 91-4976

KNOWN ALL MEN BY THESE PRESENTS

THAT I, Michael Dailey charged with the offense of a (Misdemeanor) (Felony), to wit. ATRP - Criminal Trespass am held and firmly bound unto the State of Texas in the penal sum stated below for the payment of which sum well and truly to be made, and in addition all necessary and reasonable fees and expenses that may be incurred by peace officers in rearresting me in the event the conditions of this bond are violated, I do bind myself, my heirs, executors and administrators, jointly and severally by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS THAT I swear that I will appear before the 167th District Court at the Travis County Courthouse, Eleventh and Guadalupe Street, Austin, Travis County, Texas, on the 3rd day of Sept, 19 92 at 9:00 A M. or pay to the Court the principal sum of $ 5000.00 plus all necessary and reasonable expenses incurred in any arrest for failure to appear.

I further swear that I will appear before any court or magistrate before whom this cause may hereinafter be pending at any time and place as may be required.

Now if I shall well and truly make said appearance before the said Court, and there remain from day to day and term to term of said Court, until discharged by due course of law, then and there to answer said accusation against me, and further shall well and truly make my personal appearance in any and all subsequent proceedings that may be had relative to said charge in the course of the criminal action based on said charge, this obligation shall become void; Otherwise to remain in full force and effect.

SIGNATURE OF DEFENDANT

SWORN TO AND SUBSCRIBED BEFORE ME, This _____ day of _____, 19 ____

NOTARY PUBLIC IN AND FOR
TRAVIS COUNTY, TEXAS

FILED
92 AUG -7 PM 4:

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

THIS PERSONAL BOND IS APPROVED, effective only after arresting agency has completed its booking process, and the defendent at such time is ordered released on the conditions of this bond.

MAGISTRATE

92/08/05 13:16:03 FROM WA2 ID = 828

ATTN;CENTRAL BOOKING
ENROUTE FROM PROBATION OFFICE
~
RE;DAILEY,MICHAEL W/M DOB/010772 SS#450778838 DPS#TX04604783
TDL;14157520 TX ID;06201563
~

WRNT #914976
CRIM TRESPASS CLASS A MISD-ATRP
167TH DC
ISSUED 071392
NO BOND SET
**********PLS ACK*****NEGATIVE ALL OTHER WRNTS IN FILE
DOLORES/CENTRAL WARRANTS

ENTERED

SEX M RACE W DOB 010772
SSN # [redacted]
DL # [redacted]
7103 Sungate Dr.
(Home Address)
Austin Tx 78731
(City) (State)
Crim. Trespass Class A. Miso.
(Probated Offense #)
DPS # [redacted]
Clerk's Initials

STATE OF TEXAS
COUNTY OF TRAVIS

NO. 914976

TO ANY SHERIFF OF THE STATE OF TEXAS - - GREETINGS:

You are hereby commanded to arrest:

MICHAEL DAILEY,

defendant in the above numbered and cause and him safely keep, so that you have him before the HONORABLE BOB JONES, Judge of the 167 Judicial District Courts of Travis County, Texas situated in the City [illegible] the Courthouse of said County, there to answer The State [illegible] upon an application to revoke probation of the defendant on said cause, entitled The State of Texas Vs. MICHAEL DAILEY,

DAILEY,MICHAEL

7718 Shoal Creek Blvd Victor Moya

You are further commanded to serve the defendant with the attached copy of the Application to Revoke Probation and the order setting said application for hearing and notifying said defendant to appear at the time and place set out in said Order, then and there to show cause, if any, why said application should not be granted as prayed for.

HEREIN FAIL NOT, but due return make hereof as the law directs.

Given under my hand and seal of office at Austin, Texas this July 13, 1992

AMALIA RODRIGUEZ-MENDOZA
District Clerk
Travis County, Texas

By: _____, Deputy

DISTRICT COURT OF TRAVIS COUNTY TEXAS

OFFICER'S RETURN

Came to hand on the 14 day of July, A.D., 1992 and executed on the 5 day of August, A.D., 1992 by arresting the within named defendant, MICHAEL DAILEY, at Austin in Travis County, Texas and serving the attached copy of the application to revoke probation and the order setting hearing on said application on the defendant and placing him in the jail of Travis County, Texas.

DUYNE BAILEY, Sheriff
Travis County, Texas

By: Ivan T. Richards Deputy

RECEIVED
SHERIFF'S DEPT.
TRAVIS COUNTY SHERIFF
CENTRAL WARRANTS
1992 JUL 14 AM 10:53

REFERENCE #9201464

FILED
AUG 11 7 37 PM '92
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

CUSTODIAN OF RECORDS

No. 91-4976

THE STATE OF TEXAS	§	IN THE 167th DISTRICT COURT
VS.	§	OF
MICHAEL DAILEY	§	TRAVIS COUNTY, T E X A S

MOTION TO PROCEED TO AN ADJUDICATION OF GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the court proceed to an adjudication of guilt of the defendant, because the defendant has violated the terms and conditions of the deferred adjudication as follows:

Specifically, the State will show that the defendant:

has failed to attend AA/NA two times per week;

The State requests that a summons issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
JESSE MURGA
Assistant District Attorney

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 25th day of July, 1992, at 9:00 o'clock A.M., and it is ORDERED that a ( )warrant ( )summons issue to secure the defendant's presence.

SIGNED this 19th day of July, 1992.

_____
Judge

FILED

Jun 19 3 48 PM '92

Amelia Rodriguez-Mendoza
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

ATRP WARRANT ISS.
7-13-92

STATE OF TEXAS
COUNTY OF TRAVIS

NO. 914976

TO ANY SHERIFF OF THE STATE OF TEXAS - - GREETINGS:

You are hereby commanded to arrest:

MICHAEL DAILEY,

defendant in the above numbered and cause and him safely keep, so that you have him before the HONORABLE BOB JONES, Judge of the 167 Judicial District Courts of Travis County, Texas situated in the City of Austin at the Courthouse of said County, there to answer The State of Texas upon an application to revoke probation of the defendant on said cause, entitled The State of Texas Vs. MICHAEL DAILEY,

You are further commanded to serve the defendant with the attached copy of the Application to Revoke Probation and the order setting said application for hearing and notifying said defendant to appear at the time and place set out in said Order, then and there to show cause, if any, why said application should not be granted as prayed for.

HEREIN FAIL NOT, but due return make hereof as the law directs.

Given under my hand and seal of office at Austin, Texas this July 13, 1992

AMALIA RODRIGUEZ-MENDOZA
District Clerk
Travis County, Texas

By: _____, Deputy

DISTRICT COURT OF TRAVIS COUNTY TEXAS

OFFICER'S RETURN

Came to hand on the _____ day of _____, A.D., 19____ and executed on the _____ day of _____, A.D., 19____ by arresting the within named defendant, MICHAEL DAILEY, at _____ in _____ County, Texas and serving the attached copy of the application to revoke probation and the order setting hearing on said application on the defendant and placing him in the jail of Travis County, Texas.

DOYNE BAILEY, Sheriff
Travis County, Texas

By: _____, Deputy

No. 91-4976

THE STATE OF TEXAS	§	IN THE 167th DISTRICT COURT
VS.	§	OF
MICHAEL DAILEY	§	TRAVIS COUNTY, T E X A S

MOTION TO PROCEED TO AN ADJUDICATION OF GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the court proceed to an adjudication of guilt of the defendant, because the defendant has violated the terms and conditions of the deferred adjudication as follows:

Specifically, the State will show that the defendant:

has failed to attend AA/NA two times per week;

The State requests that a summons issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
JESSE MURGA
Assistant District Attorney

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 25th day of _____, 1992, at 9:00 o'clock A.M., and it is ORDERED that a ( )warrant ( )summons issue to secure the defendant's presence.

SIGNED this 15th day of _____, 1992.

_____
Judge

FILED

Jun 19 3 48 PM '92

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

ATRP WARRANT ISS.
7-13-92

(1) Obey all orders of the Court and the Probation Officer.

(2) Commit no offense against the laws of this or any State or of the United States.

(3) Avoid injurious or vicious habits.

(4) Avoid the use of all narcotics, habit forming drugs, alcoholic beverages, and controlled substances.

(5) Avoid persons or places of disreputable or harmful character (including association with any person previously convicted of a felony crime without the permission of the Probation Officer).

(6) Report to your Probation Officer on 2nd Thursday of each month at 9:00 a.m. and at any subsequent time as instructed by your Probation Officer.

(7) Permit the Probation Officer to visit you at your home or elsewhere.

(8) Work faithfully at suitable employment as far as possible, subject to the approval of the Court and/or the Probation Officer.

(9) Do not change place of residence without the permission of the Probation Officer and report within five (5) days of any change in employment or marital status.

(10) Remain within Travis County, Texas, unless permitted to depart by the Court and/or the Probation Officer.

(11) Support your dependents.

(12) Pay your Costs of Court and fine, in one or several sums, that the Court shall determine, to wit: $ 500.00 Fine; $ 87.50 Court Costs; totaling $ 582.50 in payments of $ 75.00 each month starting on 1-20-92 and on the 20th day of each month thereafter, payments made to the Community Supervision and Corrections Department of Travis County (hereafter called the "Department").

(13) Pay $40.00 a month probation supervision fee to the Department during probationary period starting on 1-20-92 and on the 20th day of each month thereafter.

(14) Restitution should be paid to the Department in the amount of $ 400.00, in payments of $ 400.00 each month starting on 1-10-92 and on the 10th day of each month thereafter until the total is paid.

(15) Reimburse the County for compensation paid to appointed counsel totaling $_____, in payments of $_____ each month starting on _____ and on the _____ day of each month thereafter until the total is paid.

(16) Pay a Personal Bond fee of $20.00 (or) _____ within thirty (30) days to the Personal Bond Office.

(17) All Court ordered monies must be paid off sixty (60) days prior to discharge.

(18) Refrain from disorderly conduct, abusive language, or disturbing the peace while present at the office of the Department.

(19) Pay a $10.00 Crime Stoppers fee through the Department by 7-1-92.

_____ (20) Enroll in the T.C.C.C. Felony (circle one: Bad Check II, Theft II, Assault II, Chemical Dependency I or II, Anger Management).

_____ (21) Assigned to Intensive Probation (Intensive Supervision Project) for one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

_____ (22) Assigned to Intensive Probation for Specialized Caseload—(circle one: Mental Health, Developmentally Disabled, Alcohol, Drug) Offenders (in lieu of incarceration in IDTDCJ) for a period of one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

X (23) Submit a urine specimen at the direction of the Probation Officer, daily if ordered, and pay all costs if required.

_____ (24) Obtain GED within _____ year(s).

X (25) Report to T.C.C.C. Felony Theft Program & ** on the date designated by your Probation Officer, cooperate and participate while you are a client thereof, pay all costs of treatment, and remain until officially discharged by the proper authorities. ** Austin Rehabilitation Center's Out-Patient Treatment Program.

X (26) Have no contact and do not associate with Rodney Canion and Christopher Lamprecht.

X (27) Complete 250 CSR hours.

X (28) Attend AA/NA meetings two (2) times per week and provide proof to Probation Officer.

You are hereby advised that under the law of this State, the Court shall determine the terms and conditions of your probation, and may at any time during the period of probation, alter or modify the conditions of your probation. The Court also has the authority at any time during the period of your probation to revoke your probation for violation of any of the conditions set out above.

Witness our signature this 12th day of February, 1992.

Judge Presiding

We, the undersigned, certify delivery of the Conditions of Probation to the above named defendant.

Probation Officer

District Clerk

RIGHT INDEX FINGER

Defendent's Receipt

I acknowledge receipt of one copy of the Conditions of my probation which were read to me by the Presiding Judge and I understand and agree to obey these Conditions of Probation.

Defendant

FILED

12:02 PM '92

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

conditions of probation:

(1) Obey all orders of the Court and the Probation Officer.

(2) Commit no offense against the laws of this or any State or of the United States.

(3) Avoid injurious or vicious habits.

(4) Avoid the use of all narcotics, habit forming drugs, alcoholic beverages, and controlled substances.

(5) Avoid persons or places of disreputable or harmful character (including association with any person previously convicted of a felony crime without the permission of the Probation Officer).

(6) Report to your Probation Officer on 2nd Thursday of each month at 9:00 a.m. and at any subsequent time as instructed by your Probation Officer.

(7) Permit the Probation Officer to visit you at your home or elsewhere.

(8) Work faithfully at suitable employment as far as possible, subject to the approval of the Court and/or the Probation Officer.

(9) Do not change place of residence without the permission of the Probation Officer and report within five (5) days of any change in employment or marital status.

(10) Remain within Travis County, Texas, unless permitted to depart by the Court and/or the Probation Officer.

(11) Support your dependents.

(12) Pay your Costs of Court and fine, in one or several sums, that the Court shall determine, to wit: $ 500.00 Fine; $ 87.50 Court Costs; totaling $ 587.50 in payments of $ 75.00 each month starting on 1-2092 and on the 20th day of each month thereafter, payments made to the Community Supervision and Corrections Department of Travis County (hereafter called the "Department").

(13) Pay $40.00 a month probation supervision fee to the Department during probationary period starting on 1-20-92 and on the 20th day of each month thereafter.

(14) Restitution should be paid to the Department in the amount of $ 900.00, in payments of $ 100.00 each month starting on 1-10-92 and on the 10th day of each month thereafter until the total is paid.

(15) Reimburse the County for compensation paid to appointed counsel totaling $_____, in payments of $_____ each month starting on _____ and on the _____ day of each month thereafter until the total is paid.

(16) Pay a Personal Bond fee of $20.00 (or) _____ within thirty (30) days to the Personal Bond Office.

(17) All Court ordered monies must be paid off sixty (60) days prior to discharge.

(18) Refrain from disorderly conduct, abusive language, or disturbing the peace while present at the office of the Department.

(19) Pay a $10.00 Crime Stoppers fee through the Department by 1-1-92.

_____ (20) Enroll in the T.C.C.C. Felony (circle one: Bad Check II, Theft II, Assault II, Chemical Dependency I or II, Anger Management).

_____ (21) Assigned to Intensive Probation (Intensive Supervision Project) for one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

_____ (22) Assigned to Intensive Probation for Specialized Caseload—(circle one: Mental Health, Developmentally Disabled, Alcohol, Drug) Offenders (in lieu of incarceration in IDTDCJ) for a period of one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

XX (23) Submit a urine specimen at the direction of the Probation Officer, daily if ordered, and pay all costs if required.

_____ (24) Obtain GED within _____ year(s).

XX (25) Report to T.C.C.C. Felony Theft ** on the date designated by your Probation Officer, cooperate and participate while you are a client thereof, pay all costs of treatment, and remain until XXXXX successfully discharged by the proper authorities.

**Program; Greater Austin Council on Alcohol and Drug Abuse

XX (26) Have no contact and do not associate with Rodney Canion and Christopher Lamprecht.

XX (27) Complete 250 CSR

You are hereby advised that under the law of this State, the Court shall determine the terms and conditions of your probation, and may at any time during the period of probation, alter or modify the conditions of your probation. The Court also has the authority at any time during the period of your probation to revoke your probation for violation of any of the conditions set out above.

Witness our signature this 7th day of January, 19 92

Judge Presiding

We, the undersigned, certify delivery of the Conditions of Probation to the above named defendant.

Probation Officer

District Clerk

RIGHT ~~INDEX FINGER~~ THUMB

Defendent's Receipt

I acknowledge receipt of one copy of the Conditions of my probation which were read to me by the Presiding Judge and I understand and agree to obey these Conditions of Probation.

Defendant

MICHAEL L. BRANDES
LAWYER
(512) 478-3722

February 21, 1992

Copy

MR. VICTOR MOYA
Adult Probation Officer
8712 Shoal Creek Blvd. #200A
Austin, Texas 78758

RE: Cause # 914,976
Michael Dailey and Rodney Canion, Co-Defendants

District clerk, Please file this copy in 914,976, 167th D.C.

Dear Mr. Moya,

Thank you for your call of today re: the above two co-defendants and the matter of the $400.00 restitution.

As you know,the restitution has been paid by Mr. Canion, Rodney's dad, and it was paid, i might add, on the day of sentencing, because Judge Jones of the 167th would not proceed with sentencing until the money was walked across the street to your downtown office and paid right then.

That was a reasonable request by the Judge and we gladly complied with his request. The next day (or maybe the next) Mr. Dailey's father sent to me a check in the amount of $200.00 which I then sent to the lawyer for Rodney Canion as he had paid the restitution in full for both boys on the day of sentencing. Mr. Jim Sawyer and Mr. James Anderson were Canion's attorneys. Anyway, the total restitution was $400.00 which was paid by Mr. Canion on 1-9-92. As a result, Mr. Dailey's record should show that he has paid restitution. In fact, none of these co-defendants is responsible for any more restitution as it has been paid in full for the whole case, as i understand it, in other words, there was always only $400.00 to be paid in the case, and it has been paid.

I am sending a copy of this letter to Jerry Milsaps, Judge Jones, the file, Canion's lawyers, and Mr. Dailey.

Thanks
M. L. B.

812 San Antonio, Suite 318 • Stewart Title Building • Austin, Texas 78701
Mailing Address: P.O. Box 1421, Austin, Texas 78767

Mr. Moya, I appreciate all your attention to this matter, and specifically, for the phone call about the problem. I realize this is not your fault and I appreciate your concern.

Should any more explanation be necessary, please do not hesitate to call.

Thanking you again, I am,

Sincerely,

Michael L. Brandes

MICHAEL L. BRANDES
Attorney at Law

MLB;db
cc: Michael Dailey
Judge Bob Jones
Jerry Milsaps
James Anderson
District Court

this cause was called for trial and the State appeared by District Attorney, and the defendant, Michael Dailey, appeared in person in open Court, his/her counsel, Mike Brandes, also being present, and the said defendant having been duly arraigned, pleaded Guilty to the indictment/~~information~~ herein, both parties announced ready for trial, and thereupon a trial by jury was waived by all parties and the reading of the indictment/~~information~~ was waived, Thereupon the State elected to proceed on the lesser included offense of Criminal Trespass, a Class "A" misdemeanor and the defendant pleaded Guilty thereto, and the Court having heard the evidence submitted and having heard arguments of both sides found sufficient evidence to find the defendant guilty of the offense of Criminal Trespass, a Class "A" misdemeanor

However, on the 9th day of January, A.D.,19 92, the Court being of the opinion that the best interests of society and the defendant will be served in this cause by deferring further proceedings without entering an adjudication of guilt pursuant to Article 42.12, Section 5 of the Code of Criminal Procedure, as amended, it is therefore **CONSIDERED, ORDERED** and **ADJUDGED** that further proceedings in this cause shall be and are hereby deferred and the defendant placed on probation in this cause for a period of One (1) years ~~x~~ assessed a $500.00 fine from this date under the supervision of the Court and the duly appointed and acting Adult Probation Officer of Travis County, Texas, subject to the following conditions of probation, and the defendant shall, during the term of probation:

VL 0646 PG 259

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[illegible] COUNTY, TEXAS

5. Avoid persons or places of disreputable or harmful character (including association with any person previously convicted of a felony crime without the permission of the Probation Officer).

6. Report to your Probation Officer on 2nd Thursday of each month at 9:00 a.m. and at any subsequent time as instructed by your Probation Officer.

7. Permit the Probation Officer to visit you at your home or elsewhere.

8. Work faithfully at suitable employment as far as possible, subject to the approval of he Court and/or the Probation Officer.

9. Do not change place of residence without the permission of the Probation Officer and report within five (5) days of any change in employment or marital status.

10. Remain in Travis County, Texas, unless permitted to depart by the Court and/or the Probation Officer.

11. Support your dependants.

12. Pay your fine and the costs of the Court, in one or several sums, that the Court shall determine, to-wit: $ 500.00 Fine; $ 82.50 Court Costs; totaling $ 582.50 in payments of $ 75.00 each month starting on 1-20-92 and on the 20th day of each month thereafter, payments made to the Travis County Community Supervision and Corrections Department.

13. Pay $ 40.00 a month probation supervision fee to the Travis County Community Supervision and Corrections Department during your probationary period starting on 1-20-92 and on the 20th day of each month thereafter.

14. Restitution should be paid in the amount of $ 400.00, in payments of $ 400.00 each month starting on 1-20-92 and on the 10th day of each month thereafter until the total is paid.

15. Reimburse the County for compensation paid to appointed counsel totaling $_____, in payments of $_____ each month starting on _____ and on the _____ day of each month thereafter until the total is paid.

16. Pay a Personal Bond fee of $20.00 (or) $_____ within thirty (30) days to the Personal Bond Office.

17. All Court ordered monies must be paid off sixty (60) days prior to discharge.

18. Refrain from disorderly conduct, abusive language, or

VL 06-4 6 PG 2 6 0

authorities.

___ 21. Assigned to Intensive Probation (Intensive Supervision Project for one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of Probation Officer, daily if ordered.

___ 22. Assigned to Intensive Probation for Specialized Caseload --(circle one: Mental Health, Developmentally Disabled, Alcohol, Drug) Offenders (in lieu of incarceration in IDTDCJ) for a period of one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

XX 23. Submit a urine specimen at the direction of the Probation Officer, daily if ordered, and pay all costs if required.

___ 24. Obtain GED within _____ year(s).

XX 25. Report to T.C.C. Felony Theft Program; Greater Austin Council** on the date designated by your Probation Officer, cooperate and participate while you are a client thereof, pay all costs of treatment, and remain until ~~officially~~ successfully discharged by the proper authorities.
**on Alcohol and Drug Abuse

XX 26. Have no contact and do not associate with Rodney Canion and Christopher Lamprecht.

27 27. Complete 250 CSR

VL 0646 PG 261

The defendant was informed that on violation of a condition of his probation that he may be arrested and detained as provided by law. That he is entitled to a hearing limited to the determination by the court of whether it proceeds with an adjudication of guilt on the original charge. That no appeal may be taken from this determination. That after adjudication of guilt, all proceedings including assessment of punishment, pronouncement of sentence, granting of probation and appeal continue as if the adjudication of guilt had not been deferred.

Signed the 5th day of February, A.D., 19 92.

APPROVED AS TO FORM;

Assistant District Attorney

Judge Presiding

DEFERRED ADJUDICATION

ORDER CONTINUING DEFENDANT ON PROBATION

On this 3rd day of September, A.D., 19 92, came on to be heard the matter of determining whether or not the probation in the above entitled and numbered cause should be revoked and the sentence imposed, and the defendant appeared in person and by his attorney, Michael Brandes, and the State appeared by her District Attorney and the Probation Officer of this Court, and the Court, after hearing the evidence submitted, is of the opinion, and so finds, that the defendant's probation should not be revoked at this particular time.

It is THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the order suspending the execution of the sentence, and placing the defendant on probation, heretofore entered in this cause be, and the same is hereby continued in full force and effect, and the defendant, MICHAEL DAILEY is ordered released from the custody of the Sheriff of Travis County and returned to the Supervision of the said Probation Officer of this Court, and the said defendant shall remain on probation subject to the terms and conditions as heretofore set out in the judgement and sentence in this cause, and subject further to the following conditions, viz:

VOL 0888 PG 569

SIGNED this the 28 day of [signature], A.D., 19[signature].

APPROVED AS TO FORM:

[signature]
ASSISTANT DISTRICT ATTORNEY

[signature]
JUDGE, 167 TH JUDICIAL DISTRICT COURT
TRAVIS COUNTY, TEXAS

FILED

ORDER CONTINUING DEFENDANT ON PROBATION

On this 3rd day of SEPTEMBER, A.D., 19 92, came on to be heard the matter of determining whether or not the probation in the above entitled and numbered cause should be revoked and the sentence imposed, and the defendant appeared in person and by h IS attorney, MICHAEL BRANDES, and the State appeared by her District Attorney and the Probation Officer of this Court, and the Court, after hearing the evidence submitted, is of the opinion, and so finds, that the defendant's probation should not be revoked at this particular time.

It is THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the order suspending the execution of the sentence, and placing the defendant on probation, heretofore entered in this cause be, and the same is hereby continued in full force and effect, and the defendant, MICHAEL DALEY is ordered released from the custody of the Sheriff of Travis County and returned to the Supervision of the said Probation Officer of this Court, and the said defendant shall remain on probation subject to the terms and conditions as heretofore set out in the judgement and sentence in this cause, and subject further to the following conditions, viz:

- TERM OF PROBATION IS EXTENDED SIX MONTHS TO END ON 7-9-93
- PERFORM 50 HOURS OF COMMUNITY SERVICE RESTITUTION.

APPROVED AS TO FORM:

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SEP 9 4 11 PM '92
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

ASSISTANT DISTRICT ATTORNEY

JUDGE, 147TH JUDICIAL DISTRICT COURT
TRAVIS COUNTY, TEXAS

12/88

(1) Obey all orders of the Court and the Probation Officer.

(2) Commit no offense against the laws of this or any State or of the United States.

(3) Avoid injurious or vicious habits.

(4) Avoid the use of all narcotics, habit forming drugs, alcoholic beverages, and controlled substances.

(5) Avoid persons or places of disreputable or harmful character (including association with any person previously convicted of a felony crime without the permission of the Probation Officer).

(6) Report to your Probation Officer on 2nd Thursday of each month and at any subsequent time as instructed by your Probation Officer. at 9:00 a.m.

(7) Permit the Probation Officer to visit you at your home or elsewhere.

(8) Work faithfully at suitable employment as far as possible, subject to the approval of the Court and/or the Probation Officer.

(9) Do not change place of residence without the permission of the Probation Officer and report within five (5) days of any change in employment or marital status.

(10) Remain within Travis County, Texas, unless permitted to depart by the Court and/or the Probation Officer.

(11) Support your dependents.

(12) Pay your Costs of Court and fine, in one or several sums, that the Court shall determine, to wit: $500.00 Fine; $82.50 Court Costs; totaling $582.50 in payments of $75.00 each month starting on 1-20-92 and on the 20th day of each month thereafter, payments made to the Community Supervision and Corrections Department of Travis County (hereafter called the "Department").

(13) Pay $40.00 a month probation supervision fee to the Department during probationary period starting on 1-20-92 and on the 20th day of each month thereafter.

(14) Restitution should be paid to the Department in the amount of $400.00, in payments of $400.00 each month starting on 1-10-92 and on the 10th day of each month thereafter until the total is paid.

(15) Reimburse the County for compensation paid to appointed counsel totaling $_____, in payments of $_____ each month starting on _____ and on the _____ day of each month thereafter until the total is paid.

(16) Pay a Personal Bond fee of $20.00 (or) _____ within thirty (30) days to the Personal Bond Office.

(17) All Court ordered monies must be paid off sixty (60) days prior to discharge.

(18) Refrain from disorderly conduct, abusive language, or disturbing the peace while present at the office of the Department.

(19) Pay a $10.00 Crime Stoppers fee through the Department by 1-1-92.

____ (20) Enroll in the T.C.C.C. Felony (circle one: Bad Check II, Theft II, Assault II, Chemical Dependency I or II, Anger Management).

____ (21) Assigned to Intensive Probation (Intensive Supervision Project) for one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

____ (22) Assigned to Intensive Probation for Specialized Caseload—(circle one: Mental Health, Developmentally Disabled, Alcohol, Drug) Offenders (in lieu of incarceration in IDTDCJ) for a period of one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

XX (23) Submit a urine specimen at the direction of the Probation Officer, daily if ordered, and pay all costs if required.

____ (24) Obtain GED within _____ year(s).

XX (25) Report to T.C.C.C. Felony Theft ** on the date designated by your Probation Officer, cooperate and participate while you are a client thereof, pay all costs of treatment, and remain until ~~officially~~ successfully discharged by the proper authorities.

**Program; Greater Austin Council on Alcohol and Drug Abuse

XX (26) Have no contact and do not associate with Rodney Canion and Christopher Lamprecht.

XX (27) Complete 250 CSR

You are hereby advised that under the law of this State, the Court shall determine the terms and conditions of your probation, and may at any time during the period of probation, alter or modify the conditions of your probation. The Court also has the authority at any time during the period of your probation to revoke your probation for violation of any of the conditions set out above.

Witness our signature this 7th day of January, 19 92

We, the undersigned, certify delivery of the Conditions of Probation to the above named defendant.

Tamara Horton
Probation Officer

Stephen Sprague
District Clerk

Judge Presiding

Defendent's Receipt

I acknowledge receipt of one copy of the Conditions of my probation which were read to me by the Presiding Judge and I understand and agree to obey these Conditions of Probation.

Defendant

RIGHT ~~INDEX FINGER~~ THUMB

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DISTRICT CLERK
TRAVIS COUNTY, TEXAS

by his attorney with whom he has previously consulted and makes the following voluntary statement:

1. That I am sane and that I understand the nature of the charges contained in the indictment (or information) in this cause;

2. That the Court has advised me orally or in writing of the consequences of a plea of guilty;

3. That I have the right to a trial by jury whether I plead "Guilty", "Not Guilty", or "Nolo Contendere";

4. That I have the right to remain silent, but if I choose not to remain silent, anything I say can be used against me;

5. That I have the right to be confronted with the witnesses against me whether I have a trial before the Court or the jury.

However, I desire to waive and do waive the following rights:

1. The reading of the indictment (or information);

2. The right to be served with a copy of the indictment in this cause ten days prior to arraignment;

3. The right to be arraigned;

4. The right of trial by jury and request the consent and approval of the Court and of the attorney for the State to such waiver;

5. The right to remain silent stating that it is my desire to take the witness stand, knowing anything I may say can be used against me, and judicially confess my guilt;

6. The right to be confronted with the witnesses against me and request the approval of the Court to the stipulation of the evidence by waiving the appearance, confrontation and cross-examination of witnesses, furthermore I consent to the introduction of testimony and evidence by stipulation into the record by the attorney for the State by oral stipulation, or by affidavit, or by written statements of witnesses and any other documentary evidence;

7. The right to service of the indictment, the two-day waiting period for arraignment, the ten-day period for preparation after appointment of counsel, and the ten-day period in which to file written pleadings after arrest;

8. The right to a pre-sentence report and request that none be made.

I understand that any recommendation made by the prosecuting attorney as to punishment is not binding on the Court. That where there is a plea bargain agreement and the punishment assessed by the Court does not exceed the agreed recommendation, I do not have the right to appeal without permission of the Court except for those matters raised by written motions filed prior to trial. I therefore withdraw my pre-trial motions and waive my right to appeal.

I understand that if I receive deferred adjudication, the Court can assess the full range of punishment for the offense charged if the deferred adjudication probation is revoked.

I do admit and judicially confess that I knowingly, intentionally and unlawfully committed the acts alleged in the indictment (or information) in this cause (or the lesser included offense of Criminal Trespass) at the time, place and in the manner alleged and that such allegations are true and correct, that I am in fact GUILTY of the offense alleged.

I voluntarily enter my plea of GUILTY to said offense. My plea is not influenced by any consideration of fear or any persuasion or any delusive hope of pardon. In making my plea of guilty I am not relying on any advice, information or agreement not made known to the Court at this time.

I request the Court to consider probating any sentence imposed, and as to the issue of punishment agree that the pre-sentence investigation report of the Community Supervision and Corrections Department may be considered by the Court.

I understand that if I am not a citizen of the United States that my plea may result in deportation, the exclusion of admission to this country, or denial of naturalization under federal law. There have been no promises made to me by my defense attorney, the prosecutor or the Court concerning my right to stay in the United States.

I understand that if I am convicted in a non-negotiated plea I have the right to appeal to the appropriate Court of Appeals of Texas, and the right to be represented on appeal by an attorney of my choice, but if I am too poor to pay for such attorney or the record on appeal, the Court will , without expense to me, provide an attorney and a proper record for such appeal.

I have not been committed to a mental institution nor do I presently have mental or emotional problems, and I believe that I am competant to stand trial. The attorney for defendant herein acknowledges that counsel believes the defendant is competent and able to assist counsel in the preparation of the defense and that the defendant appears to be sane and competent.

I acknowledge and understand the following admonitions which were explained to me by my attorney prior to entering an oral plea of guilty or nolo contendere.

That I am charged with a felony of the 1st degree which has a punishment range of:

a. First Degree - by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 5 years or more than 99 years or life, and in addition to imprisonment may be punished by a fine not to exceed $10,000.00;

b. Second Degree - by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 2 years of more than 20 years and in addition to imprisonment may be punished by a fine not to exceed $10,000.00;

c. Third Degree - confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 2 years or more than 10 years; or confinement in a community correctional facility for any term of not more than 1 year, and in addition to imprisonment, may be punished by a fine not to exceed $10,000.00.

d. Other - Criminal Trespass 1 year + 3000 = fine

My JB

VOL 0538 PG 300

IN THE 167th JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS

NO. 214976 THE STATE OF TEXAS VS. Michael Bailey

ARRAIGNMENT OF THE DEFENDANT ON PLEA OF GUILTY

On this the 17th day of December, A.D., 1991, the defendant, Michael Bailey, and his attorney, Michael Brandes, being present in open Court and the State's attorney also being present in open Court, and it appearing to the Court that the said defendant is on bail or is in custody and has been duly served with a copy of the indictment/information herein at least two entire days prior to the present day, the Court proceeded to cause the said defendant to be arraigned herein in due form of law, to-wit: the name of the said defendant as stated in the indictment/information was distinctly called, and thereupon the defendant stated that he understood the nature of the charges against him as contained in the indictment/information and waived the reading of the indictment/information and he was asked whether he was guilty or not guilty as therein charged, and the defendant answered in person that he was GUILTY as charged in said indictment/information.

Thereupon, the defendant was admonished by the Court of the consequences of said plea, including the minimum and maximum punishment provided by law, and of his right to remain silent, that he is not required to make a statement and that any statement he makes can be used against him, that he has a right to be confronted with the witnesses against him, and that he has a right to a jury trial, and the said defendant persisted in pleading guilty. It plainly appearing to the Court that the defendant is Mentally Competent and the Court finds his plea to be free and voluntary and the said plea of Guilty is by the Court received and here now entered of record upon the Minutes of the Court as the plea herein of said defendant.

VOL 0938 PG 301

JUDGE PRESIDING

FILED
DEC 17 12 16 PM '91
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

FILED
DEC 17 12 16 PM '91

STATE'S MOTION TO AMEND INDICTMENT

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Robert Smith, Assistant District Attorney, representing the state in the above entitled cause, and with the leave and under the direction of said court amends the indictment herein filed as follows, to wit: change "building" to "habitation"

Assistant District Attorney

ORDER OF AMENDMENT

This day came the state of Texas, by her district attorney, and asked leave of the court to amend the indictment herein, which leave was by the court granted, and thereupon the said district attorney, under the direction of the court, filed herein a written amendment of said indictment, amending the same in the following particular, to wit: change "building" to "habitation"

It is therefore considered and ordered by the court that said indictment be and the same is amended as above stated.

JUDGE PRESIDING

VL 0630 PG 303

FILED
DEC 17 12 16 PM '91
DISTRICT
TRAVIS

No. 91-4976

THE STATE OF TEXAS	§	IN THE 167th DISTRICT COURT
VS.	§	OF
MICHAEL DAILEY	§	TRAVIS COUNTY, T E X A S

MOTION TO PROCEED TO AN ADJUDICATION OF GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the court proceed to an adjudication of guilt of the defendant, because the defendant has violated the terms and conditions of the deferred adjudication as follows:

Specifically, the State will show that the defendant:

has failed to attend AA/NA two times per week;

The State requests that a summons issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
JESSE MURGA
Assistant District Attorney

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 25th day of July, 1992, at 9:00 o'clock A.M., and it is ORDERED that a ( )warrant ( )summons issue to secure the defendant's presence.

SIGNED this 15th day of July, 1992.

_____
Judge

FILED
JUL 14 3 48 PM '92
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

ATRP WARRANT ISS.
7-13-92

VL 0673 PG 461

ORDER OF COMMITMENT

TO THE SHERIFF OF TRAVIS COUNTY, GREETINGS:

Michael Dailey (Name of Defendant) who having been brought before me this

October 18, 1991 (Today's Date) day at 300P .M.

charged with the offense Burglaryxx of Building - Second Degree Felony

Is COMMITTED to the CUSTODY of the SHERIFF of Travis County, Texas, to be detained unless he/she complies with the conditions of bond set on this date or any amendment or modification thereof.

1. Defendant is ordered to appear in the ___ Justice Court Number ___
   ___ County Court at Law Number One, First Appearance Ofc, Rm 205
   XXX 147 th District Court
   ___ Austin Municipal Court
   on Instanter (Appearance Date) at ___ .M.
2. If defendant is in custody on the above date, the SHERIFF is hereby ordered to present said defendant in the above Court on said appearance date and at all times said charge(s) or accusation(s) are called before said Court.
3. Bail is hereby set as follows: 5,000.00
4. Bond is acceptable if in compliance with Articles 17.03, 17.031, 17.04, and/or 17.08 of the Texas Code of Criminal Procedure.

The undersigned hereby certifies that the defendant has been warned of his/her rights under Art. 15.17 of the Texas Code of Criminal Procedure.

HEREINFAIL NOT of this ORDER but make due return showing how you have executed same.

ATTORNEY:

RETAINED ___ APPOINTED ___

Judge of the Municipal Court of Travis County, Texas (Acting as Magistrate)

White Sheriff | Green Defendant | Yellow Dist Clk/Crt Coord | Pink Dist/Co Atty | Gold Iss Court

Cause No. 91-MC2278 Bond ___

Offense#91-2910252 K. Burt

Control No. D.A.#91-3893

* *

THE STATE OF TEXAS

VS.

Name Michael Dailey

Address 7103 Sungate Dr.

City Austin State TX Zip ___

DOB 1/7/72 Sex M Race W P C S

* *

ORDER OF COMMITMENT

Issued October 18, 1991

Justice of the Peace Precinct Number ___

County Court at Law Number ___ ___

___th District Court ___

Austin Municipal Court XXX

Travis County, Texas

* *

SHERIFF'S RETURN

CAME TO HAND THIS 18 day of Oct, 19 91, at 300 o'clock P .M., and executed this 18 day of Oct, 19 91, at 300 o'clock P.M., by placing the accused in jail in Travis County, Texas.

Doyne Bailey

SHERIFF OF TRAVIS COUNTY, TEXAS

by Deputy WD 354

#304

NEAREST RELATIVE AND P...

Name	Felix Dailey	Father	Add.	Ho SAS	Ph. SAS
Name	David Dailey	Bro	Add.	Blossomwood	Ph. 832-0973
Name	Michael J Dailey	Jr	Add.	greystone	Ph. 346-6419
Name	Francis Dailey	Mother	Add.		Ph. 345-2354
Arrest Record	none				
Probation	none	Parole	none		TDC none
Attorney of Record	AO COA	Add.			Ph.
Interviewed by	AO	Recommendation	~~Bond~~ OR/GC		Ph.
Bond Fee Set at $20.00		by Judge	Doyle		

CARD / OF / MISD. ÷ FEL.

*Pay personal bond fee in the amount of $20.00 to the Travis County Pretrial Services Office at the Travis County Courthouse (473-9381)

PERSONAL BOND

THE STATE OF TEXAS
COUNTY OF TRAVIS

CAUSE No. 91MC2278

KNOWN ALL MEN BY THESE PRESENTS

THAT I, Michael J. Dailey charged with the offense of a (Misdemeanor) ~~(Felony)~~, to wit. Burglary of Building

am held and firmly bound unto the State of Texas in the penal sum stated below for the payment of which sum well and truly to be made, and in addition all necessary and reasonable fees and expenses that may be incurred by peace officers in rearresting me in the event the conditions of this bond are violated, I do bind myself, my heirs, executors and administrators, jointly and severally by these presents.

THE CONDITION OF THE ABOVE OBLIGATION IS THAT I swear that I will appear before the 147 District Court at the Travis County Courthouse, Eleventh and Guadalupe Street, Austin, Travis County, Texas, on the Instant day of _____, 19 ___, at _____ M. or pay to the Court the principal sum of $ 5,000 plus all necessary and reasonable expenses incurred in any arrest for failure to appear.

I further swear that I will appear before any court or magistrate before whom this cause may hereinafter be pending at any time and place as may be required.

Now if I shall well and truly make said appearance before the said Court, and there remain from day to day and term to term of said Court, until discharged by due course of law, then and there to answer said accusation against me, and further shall well and truly make my personal appearance in any and all subsequent proceedings that may be had relative to said charge in the course of the criminal action based on said charge, this obligation shall become void; Otherwise to remain in full force and effect.

X Michael Dailey
SIGNATURE OF DEFENDANT

SWORN TO AND SUBSCRIBED BEFORE ME, This _____ day of _____, 19 ___

_____
NOTARY PUBLIC IN AND FOR
TRAVIS COUNTY, TEXAS

THIS PERSONAL BOND IS APPROVED, effective only after arresting agency has completed its booking process, and the defendent at such time is ordered released on the conditions of this bond.

_____
MAGISTRATE

THE STATE OF TEXAS

VS.

Rodney Scott Canion

IN THE 167 TH JUDICIAL DISTRICT COURT

OF

TRAVIS COUNTY, TEXAS

DEFERRED ADJUDICATION

ORDER RELEASING DEFENDANT FROM PROBATION

On this day, the Court having reviewed all proceedings in the above cause in which the Defendant, Rodney Scott Canion, was placed on a Deferred Adjudication pursuant to Sec. 3d (a), Art. 42.12 Texas Code of Criminal Procedure.

It appearing to the Court that said Defendant has complied with the terms and conditions of said Deferred Adjudication; and it further appearing that the period of probation has expired and that the defendant herein should be discharged.

It is therefore ordered that the indictment against the defendant is hereby dismissed and the defendant is released from all penalties and disabilities resulting from the charge and Deferred Adjudication heretofore entered.

Signed this 1ST day of MAR., 19 93.

JUDGE, PRESIDING

ADULT PROBATION OFFICER

STATES ATTORNEY

VL 0715 PG 596

FILED

MAR 1 8 15 AM '93

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

313

12/88

No. 91-4976

THE STATE OF TEXAS	(	IN THE 167th DISTRICT COURT
VS.	(	OF
RODNEY CANION	(	TRAVIS COUNTY, T E X A S

MOTION TO REVOKE PROBATION

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the defendant's probation be revoked, because the defendant has violated the terms and conditions of the probation as follows:

Specifically, the State will show that the defendant:

has not paid probation supervision fees and is delinquent $120.00;

has not paid fine and is delinquent $128.76;

has not paid court costs and is delinquent $21.24;

has failed to complete 250 hours of Community Service Restitution;

The State requests that a summons issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
JESSE MURGA
Assistant District Attorney

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 9th day of July, 1992, at 9:00 o'clock A.M., and it is ORDERED that a ( )warrant (✓)summons issue to secure the defendant's presence.

SIGNED this 19th day of May, 1992.

_____
Judge

FILED
MAY 21 5 06 PM '92
Amelia Rodriguez-Mendoza
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

VL 0669 PG 534

ORDER CONTINUING DEFENDANT ON PROBATION

On this 9th day of July, A.D., 1992, came on to be heard the matter of determining whether or not the probation in the above entitled and numbered cause should be revoked and the sentence imposed, and the defendant appeared in person and by his attorney, _____, and the State appeared by her District Attorney and the Probation Officer of this Court, and the Court, after hearing the evidence submitted, is of the opinion, and so finds, that the defendant's probation should not be revoked at this particular time.

It is THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the order suspending the execution of the sentence, and placing the defendant on probation, heretofore entered in this cause be, and the same is hereby continued in full force and effect, and the defendant, _____ Rodney Canion is ordered released from the custody of the Sheriff of Travis County and returned to the Supervision of the said Probation Officer of this Court, and the said defendant shall remain on probation subject to the terms and conditions as heretofore set out in the judgement and sentence in this cause, and subject further to the following conditions, viz:

WL 0672 PG 522

APPROVED AS TO FORM:

_____
ASSISTANT DISTRICT ATTORNEY

_____
JUDGE, 167 TH JUDICIAL DISTRICT COURT
TRAVIS COUNTY, TEXAS

FILED
92 JUL -9 PM 4:05
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

4/83

STATE OF TEXAS
COUNTY OF TRAVIS

TO: RODNEY CANION
aka: RODNEY SCOTT CANION

G R E E T I N G :

WHEREAS, in that certain criminal cause pending on the docket of the 167 Judicial District Court of Travis County, Texas, the same being Cause No. 0914976, wherein THE STATE OF TEXAS is Plaintiff, and

RODNEY CANION
aka: RODNEY SCOTT CANION

is defendant in said suit wherein an APPLICATION TO REVOKE PROBATION has been filed, a copy of which is hereto attached and to which reference is here made for the relief sought; upon presentation and consideration of said application, the HONORABLE BOB JONES, Judge of said Court, has entered the following order; to-wit: Copy of order attached to writ served.

AND WHEREAS, said application has been set for hearing; THESE ARE THEREFORE to Notify, and you, the said DEFENDANT above named, are hereby notified to be and appear before the HONORABLE BOB JONES, Judge of said Court, at the Courthouse, in the City of Austin, Travis County, Texas, on 06/18/92, at 9:00 A.M., then and there to show cause, if any, why said application should not be granted as prayed for.

HEREIN FAIL NOT, to obey this WRIT!

Issued and Given under my hand and seal of office at Austin, Texas, on this June 8, 1992.

AMALIA RODRIGUEZ-MENDOZA
District Clerk
Travis County, Texas

By: _____
Deputy

DISTRICT COURT OF TRAVIS COUNTY TEXAS

OFFICER'S RETURN

Came to hand the _____ day of _____, A.D., 19___, at _____.M., and executed the _____ day of _____, A.D., 19___ at _____.M., by delivering to the within named _____ at _____ in _____ County, Texas, in person, a true copy of this Notice and the accompanying copy attached thereto.

Sheriff's Fee....$_____

Sheriff's Account No. _____

DOYNE BAILEY, Sheriff
Travis County, Texas

By: _____
Deputy

No. 91-4976

THE STATE OF TEXAS	§	IN THE 167th DISTRICT COURT
VS.	§	OF
RODNEY CANION	§	TRAVIS COUNTY, T E X A S

MOTION TO REVOKE PROBATION

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the defendant's probation be revoked, because the defendant has violated the terms and conditions of the probation as follows:

Specifically, the State will show that the defendant:

has not paid probation supervision fees and is delinquent $120.00;

has not paid fine and is delinquent $128.76;

has not paid court costs and is delinquent $21.24;

has failed to complete 250 hours of Community Service Restitution;

The State requests that a summons issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
JESSE MURGA
Assistant District Attorney

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 9th day of July, 1992, at 9:00 o'clock A.M., and it is ORDERED that a ( )warrant (✓)summons issue to secure the defendant's presence.

SIGNED this 14th day of June, 1992.

_____
Judge

FILED
MAY 21 5 06 PM '92
Dorothy Rodriguez-Fowler
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

DELIVERED TO D.A.
DATE 05-04-92

JUDICIAL DISTRICT ADULT PROBATION DEPARTMENT
FOR TRAVIS COUNTY, TEXAS

FILE # 106580801
P.O. # 120
U.M. # 124/E-3/ab

VIOLATION NOTICE

MAY 6

NAME: Rodney Canion CAUSE # 914976 DATE: 4-20-92

AKA: Rodney Scott Canion COURT # 167th JUDGE: Bob Jones

PROBATED OFFENSE: Criminal Trespass - Class A Misdemeanor

DATE OF PROBATION: 1-9-92 SENTENCE: 1 year DATE OF DISCHARGE: 1-9-93

DEFENSE ATTORNEY ON DAY OF PROBATION: James Anderson

P.O.: Jerry Gray UNIT: E-3

SUBSEQUENT OFFENSE: None Known

DATE OF ARREST: N/A ARRESTING AGENCY: N/A

PLACE OF ARREST: N/A

WEAPONS/VIOLENCE: N/A

ADMINISTRATIVE CONDITIONS VIOLATED: (BY #)

12.) Failure to pay Court Costs: delinquent $21.24

12.) Failure to pay Fine: delinquent $128.76

13.) Failure to pay Supervision Fees: delinquent $120.00

27.) Failure to complete 250 hours of Community Service Restitution.

COURT ACTION REQUESTED: WARRANT _____ SUMMONS xx

DATE DELIVERED TO COUNTY/DISTRICT ATTORNEY: _____

D.O.B.: 4-6-68 SEX: Male RACE: Anglo A.P.D.# Unknown

S.S.# [redacted] DPS # Unknown

TDL# [redacted] FBI# Unknown

HOME ADDRESS: 2207 Wickersham #1510
Austin, Tx. ZIP 78741

EMPLOYMENT ADDRESS: Thomas Conrad
1903 Kramer Lane
Austin, Tx. ZIP 78741

PHONE # (512) 385-2148

PHONE # (512) 836-1935

FILED
92 JUL 6 AM 9:23
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

3/89

55.A

STATE OF TEXAS
COUNTY OF TRAVIS

TO: RODNEY CANION
aka: RODNEY SCOTT CANION

G R E E T I N G :

WHEREAS, in that certain criminal cause pending on the docket of the 167 Judicial District Court of Travis County, Texas, the same being Cause No. 0914976, wherein THE STATE OF TEXAS is Plaintiff, and

RODNEY CANION
aka: RODNEY SCOTT CANION

is defendant in said suit wherein an APPLICATION TO REVOKE PROBATION has been filed, a copy of which is hereto attached and to which reference is here made for the relief sought; upon presentation and consideration of said application, the HONORABLE BOB JONES, Judge of said Court, has entered the following order; to-wit: Copy of order attached to writ served.

AND WHEREAS, said application has been set for hearing; THESE ARE THEREFORE to Notify, and you, the said DEFENDANT above named, are hereby notified to be and appear before the HONORABLE BOB JONES, Judge of said Court, at the Courthouse, in the City of Austin, Travis County, Texas, on 06/18/92, at 9:00 A.M., then and there to show cause, if any, why said application should not be granted as prayed for.

REFERENCE #

RECEIVED
SHERIFF'S DEPT.
TRAVIS COUNTY SHERIFF
CENTRAL WARRANTS
1992 JUN 23 AM 10: 11

HEREIN FAIL NOT, to obey this WRIT!

Issued and Given under my hand and seal of office at Austin, Texas, on this June 8, 1992.

AMALIA RODRIGUEZ-MENDOZA
District Clerk
Travis County, Texas

By: _____
Deputy

DISTRICT COURT OF TRAVIS COUNTY TEXAS

OFFICER'S RETURN

Came to hand the _____ day of _____, A.D., 19___, at _____.M., and executed the _____ day of _____, A.D., 19___ at _____.M., by delivering to the within named _____ at _____ in _____ County, Texas, in person, a true copy of this Notice and the accompanying copy attached thereto.

1992 JUN 25 AM 10: 32

Sheriff's Fee....$_____

Sheriff's Account _____

RECEIVED
SHERIFF'S DEPT.
TRAVIS COUNTY

DOYNE BAILEY, Sheriff
Travis County, Texas

By: _____
Deputy

No. 91-4976

THE STATE OF TEXAS	)	IN THE 167th DISTRICT COURT
VS.	)	OF
RODNEY CANION	)	TRAVIS COUNTY, T E X A S

MOTION TO REVOKE PROBATION

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the defendant's probation be revoked, because the defendant has violated the terms and conditions of the probation as follows:

Specifically, the State will show that the defendant:

has not paid probation supervision fees and is delinquent $120.00;

has not paid fine and is delinquent $128.76;

has not paid court costs and is delinquent $21.24;

has failed to complete 250 hours of Community Service Restitution;

The State requests that a summons issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
JESSE MURGA
Assistant District Attorney

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 9th day of July, 1992, at 9:00 o'clock A.M., and it is ORDERED that a ( )warrant (✓)summons issue to secure the defendant's presence.

SIGNED this 14th day of June, 1992.

_____
Judge

FILED

MAY 21 5 06 PM '92

Amelia Rodriguez-Mendoza
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF TRAVIS

TO: RODNEY CANION
aka: RODNEY SCOTT CANION

G R E E T I N G :

WHEREAS, in that certain criminal cause pending on the docket of the 167 Judicial District Court of Travis County, Texas, the same being Cause No. 0914976, wherein THE STATE OF TEXAS is Plaintiff, and

RODNEY CANION
aka: RODNEY SCOTT CANION

is defendant in said suit wherein an APPLICATION TO REVOKE PROBATION has been filed, a copy of which is hereto attached and to which reference is here made for the relief sought; upon presentation and consideration of said application, the HONORABLE BOB JONES, Judge of said Court, has entered the following order; to-wit: Copy of order attached to writ served.

REFERENCE #

AND WHEREAS, said application has been set for hearing; THESE ARE THEREFORE to Notify, and you, the said DEFENDANT above named, are hereby notified to be and appear before the HONORABLE BOB JONES, Judge of said Court, at the Courthouse, in the City of Austin, Travis County, Texas, on 06/18/92, at 9:00 A.M., then and there to show cause, if any, why said application should not be granted as prayed for.

HEREIN FAIL NOT, to obey this WRIT!

Issued and Given under my hand and seal of office at Austin, Texas, on this June 8, 1992.

AMALIA RODRIGUEZ-MENDOZA
District Clerk
Travis County, Texas

DISTRICT COURT OF TRAVIS COUNTY TEXAS

By: _____
Deputy

OFFICER'S RETURN

Came to hand the ____ day of _____, A.D., 19___, at _____.M., and executed the _____ day of _____, A.D., 19___ at _____.M., by delivering to the within named _____ at _____ in _____ County, Texas, in person, a true copy of this Notice and the accompanying copy attached thereto.

1992 JUN 25 AM 10:32

Sheriff's Fee....$_____

TRAVIS COUNTY
SHERIFF'S DEPT.
RECEIVED

Sheriff's Account No.

DOYNE BAILEY, Sheriff
Travis County, Texas

By: _____
Deputy

No. 91-4976

THE STATE OF TEXAS	§	IN THE 167th DISTRICT COURT
VS.	§	OF
RODNEY CANION	§	TRAVIS COUNTY, T E X A S

MOTION TO REVOKE PROBATION

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the defendant's probation be revoked, because the defendant has violated the terms and conditions of the probation as follows:

Specifically, the State will show that the defendant:

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has failed to complete 250 hours of Community Service Restitution;

The State requests that a summons issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
JESSE MURGA
Assistant District Attorney

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 9th day of July, 1992, at 9:00 o'clock A.M., and it is ORDERED that a ( )warrant (✓)summons issue to secure the defendant's presence.

SIGNED this 19th day of June, 1992.

_____
Judge

FILED

MAY 21 5 06 PM '92

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

this cause was

District Attorney, and the defendant, Rondey Canion, appeared in person in open Court, his/her counsel, James Anderson, also being present, and the said defendant having been duly arraigned, pleaded guilty to the indictment/information herein, both parties announced ready for trial, and thereupon a trial by jury was waived by all parties and the reading of the indictment/information was waived, thereupon the State elected to proceed on the lesser included offense of Criminal Trespass, a Class "A" misdemeanor and the defendant pleaded guilty thereto, and the Court having heard the evidence submitted and having heard arguments of both sides found sufficient evidence to find the defendant guilty of the offense of Criminal Trespass, a Class "A" misdemeanor

However, on the 5th day of January, A.D., 1992, the Court being of the opinion that the best interests of society and the defendant will be served in this cause by deferring further proceedings without entering an adjudication of guilt pursuant to Article 42.12, Section 5 of the Code of Criminal Procedure, as amended, it is therefore **CONSIDERED, ORDERED** and **ADJUDGED** that further proceedings in this cause shall be and are hereby deferred and the defendant placed on probation in this cause for a period of One (1) years assessed a $500.00 fine from this date under the supervision of the Court and the duly appointed and acting Adult Probation Officer of Travis County, Texas, subject to the following conditions of probation, and the defendant shall, during the term of probation:

VOL 08496 PG 2262

FILED
FEB 14 5 28 PM '92
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

5. Avoid persons or places of disreputable or harmful character (including association with any person previously convicted of a felony crime without the permission of the Probation Officer).

6. Report to your Probation Officer on the second Thursday of each month at 9:00 a.m. and at any subsequent time as instructed by your Probation Officer.

7. Permit the Probation Officer to visit you at your home or elsewhere.

8. Work faithfully at suitable employment as far as possible, subject to the approval of he Court and/or the Probation Officer.

9. Do not change place of residence without the permission of the Probation Officer and report within five (5) days of any change in employment or marital status.

10. Remain in Travis County, Texas, unless permitted to depart by the Court and/or the Probation Officer.

11. Support your dependants.

12. Pay your fine and the costs of the Court, in one or several sums, that the Court shall determine, to-wit: $ 500.00 Fine; $ 82.50 Court Costs; totaling $ 582.50 in payments of $ 50.00 each month starting on 1-20-92 and on the 20th day of each month thereafter, payments made to the Travis County Community Supervision and Corrections Department.

13. Pay $ 40.00 a month probation supervision fee to the Travis County Community Supervision and Corrections Department during your probationary period starting on 1-20-92 and on the 20th day of each month thereafter.

14. Restitution should be paid in the amount of $ 400.00, in payments of $ 400.00 each month starting on 1-20-92 and on the 10th day of each month thereafter until the total is paid.

15. Reimburse the County for compensation paid to appointed counsel totaling $_____, in payments of $_____ each month starting on _____ and on the _____ day of each month thereafter until the total is paid.

16. Pay a Personal Bond fee of $20.00 (or) $_____ within thirty (30) days to the Personal Bond Office.

17. All Court ordered monies must be paid off sixty (60) days prior to discharge.

18. Refrain from disorderly conduct, abusive language, or

VL 0646 PG 263

authorities.

___ 21. Assigned to Intensive Probation (Intensive Supervision Project for one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of Probation Officer, daily if ordered.

___ 22. Assigned to Intensive Probation for Specialized Caseload --(circle one: Mental Health, Developmentally Disabled, Alcohol, Drug) Offenders (in lieu of incarceration in IDTDCJ) for a period of one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

XX 23. Submit a urine specimen at the direction of the Probation Officer, daily if ordered, and pay all costs if required.

___ 24. Obtain GED within _____ year(s).

XX 25. Report to T.C.C.C. Felony Theft Program on the date designated by your Probation Officer, cooperate and participate while you are a client thereof, pay all costs of treatment, and remain until officially ~~xxxxxxxxx~~ discharged by the proper authorities. successfully

XX 26. Have no contact and do not associate with Michael Dailey and Christopher Lamprecht.

XX 27. Complete 250 hours of Community Service Restitution at a place designated by your Probation Officer.

VL 0694 PG 264

The defendant was informed that on violation of a condition of his probation that he may be arrested and detained as provided by law. That he is entitled to a hearing limited to the determination by the court of whether it proceeds with an adjudication of guilt on the original charge. That no appeal may be taken from this determination. That after adjudication of guilt, all proceedings including assessment of punishment, pronouncement of sentence, granting of probation and appeal continue as if the adjudication of guilt had not been deferred.

Signed the 15th day of February, A.D., 19 92.

APPROVED AS TO FORM;

Assistant District Attorney

Judge Presiding

IN THE 167th JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS

NO. 914976 THE STATE OF TEXAS VS. Rodney Canlon

ARRAIGNMENT OF THE DEFENDANT ON PLEA OF GUILTY

On this the 17th day of December, A.D., 1991, the defendant, Rodney Canlon, and his attorney, James Anderson, being present in open Court and the State's attorney also being present in open Court, and it appearing to the Court that the said defendant is on bail or is in custody and has been duly served with a copy of the indictment/information herein at least two entire days prior to the present day, the Court proceeded to cause the said defendant to be arraigned herein in due form of law, to-wit: the name of the said defendant as stated in the indictment/information was distinctly called, and thereupon the defendant stated that he understood the nature of the charges against him as contained in the indictment/information and waived the reading of the indictment/information and he was asked whether he was guilty or not guilty as therein charged, and the defendant answered in person that he was GUILTY as charged in said indictment/information.

Thereupon, the defendant was admonished by the Court of the consequences of said plea, including the minimum and maximum punishment provided by law, and of his right to remain silent, that he is not required to make a statement and that any statement he makes can be used against him, that he has a right to be confronted with the witnesses against him, and that he has a right to a jury trial, and the said defendant persisted in pleading guilty. It plainly appearing to the Court that the defendant is Mentally Competent and the Court finds his plea to be free and voluntary and the said plea of Guilty is by the Court received and here now entered of record upon the Minutes of the Court as the plea herein of said defendant.

VL 0638 PG 304

JUDGE PRESIDING

FILED

DEC 17 12 16 PM '91

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

by his attorney with whom he has previously consulted and makes the following voluntary statement:

1. That I am sane and that I understand the nature of the charges contained in the indictment (or information) in this cause;

2. That the Court has advised me orally or in writing of the consequences of a plea of guilty;

3. That I have the right to a trial by jury whether I plead "Guilty", "Not Guilty", or "Nolo Contendere";

4. That I have the right to remain silent, but if I choose not to remain silent, anything I say can be used against me;

5. That I have the right to be confronted with the witnesses against me whether I have a trial before the Court or the jury.

However, I desire to waive and do waive the following rights:

1. The reading of the indictment (or information);

2. The right to be served with a copy of the indictment in this cause ten days prior to arraignment;

3. The right to be arraigned;

4. The right of trial by jury and request the consent and approval of the Court and of the attorney for the State to such waiver;

5. The right to remain silent stating that it is my desire to take the witness stand, knowing anything I may say can be used against me, and judicially confess my guilt;

6. The right to be confronted with the witnesses against me and request the approval of the Court to the stipulation of the evidence by waiving the appearance, confrontation and cross-examination of witnesses, furthermore I consent to the introduction of testimony and evidence by stipulation into the record by the attorney for the State by oral stipulation, or by affidavit, or by written statements of witnesses and any other documentary evidence;

7. The right to service of the indictment, the two-day waiting period for arraignment, the ten-day period for preparation after appointment of counsel, and the ten-day period in which to file written pleadings after arrest;

8. The right to a pre-sentence report and request that none be made.

I understand that any recommendation made by the prosecuting attorney as to punishment is not binding on the Court. That where there is a plea bargain agreement and the punishment assessed by the Court does not exceed the agreed recommendation, I do not have the right to appeal without permission of the Court except for those matters raised by written motions filed prior to trial. I therefore withdraw my pre-trial motions and waive my right to appeal.

I understand that if I receive deferred adjudication, the Court can assess the full range of punishment for the offense charged if the deferred adjudication probation is revoked.

I do admit and judicially confess that I knowingly, intentionally and unlawfully committed the acts alleged in the indictment (or information) in this cause (or the lesser included offense of CRIMINAL TRESPASS) at the time, place and in the manner alleged and that such allegations are true and correct, that I am in fact GUILTY of the offense alleged.

I voluntarily enter my plea of GUILTY to said offense. My plea is not influenced by any consideration of fear or any persuasion or any delusive hope of pardon. In making my plea of guilty I am not relying on any advice, information or agreement not made known to the Court at this time.

I request the Court to consider probating any sentence imposed, and as to the issue of punishment agree that the pre-sentence investigation report of the Community Supervision and Corrections Department may be considered by the Court.

I understand that if I am not a citizen of the United States that my plea may result in deportation, the exclusion of admission to this country, or denial of naturalization under federal law. There have been no promises made to me by my defense attorney, the prosecutor or the Court concerning my right to stay in the United States.

I understand that if I am convicted in a non-negotiated plea I have the right to appeal to the appropriate Court of Appeals of Texas, and the right to be represented on appeal by an attorney of my choice, but if I am too poor to pay for such attorney or the record on appeal, the Court will , without expense to me, provide an attorney and a proper record for such appeal.

I have not been committed to a mental institution nor do I presently have mental or emotional problems, and I believe that I am competant to stand trial. The attorney for defendant herein acknowledges that counsel believes the defendant is competent and able to assist counsel in the preparation of the defense and that the defendant appears to be sane and competent.

I acknowledge and understand the following admonitions which were explained to me by my attorney prior to entering an oral plea of guilty or nolo contendere.

That I am charged with a felony of the _____ degree which has a punishment range of:

a. First Degree - by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 5 years or more than 99 years or life, and in addition to imprisonment may be punished by a fine not to exceed $10,000.00;

b. Second Degree - by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 2 years of more than 20 years and in addition to imprisonment may be punished by a fine not to exceed $10,000.00;

c. Third Degree - confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 2 years or more than 10 years; or confinement in a community correctional facility for any term of not more than 1 year, and in addition to imprisonment, may be punished by a fine not to exceed $10,000.00.

d. Other - mid "A" up to 2 yrs T.C.J. + 3000 fine

DEFENDANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said defendant on this the 17th day of December, 1991.

AMALIA RODRIGUEZ-MENDOZA
DISTRICT CLERK
BY: _____
Deputy District Clerk
Travis County, Texas

I have consulted with the defendant, advised him of his rights, believe him to be mentally competent, and approve his signing of this plea of guilty, waiver of a jury, agreement to stipulate testimony and judicial confession.

The defendant fully understands the admonitions of the Court and is aware of the consequences of his plea. The defendant, in making this plea, is not relying on any advice, information or agreement not made known to the Court at this time.

I have advised the defendant that any notice of appeal must be made in writing within 30 days of date of sentencing.

James E. Anderson
ATTORNEY FOR THE DEFENDANT

Before the entry of the defendant's plea of guilty herein, the above waivers and stipulations are hereby consented to and approved by me, the attorney representing the State.

ATTORNEY FOR THE STATE

It appearing clear to the Court that the defendant is mentally competent and is represented by competent counsel and that said defendant understands the nature of the charge against him; that he has been admonished by the Court including the minimum and maximum punishment provided by law; that the defendant fully understands the admonitions of the Court and is fully aware of the consequences of his plea; and that the attorney for the defendant and the State consent to and approve the waiver of a trial by jury agreeing to stipulate the testimony in his case. The Court, therefore, finds such plea of guilty, waiver and consent to be voluntarily made, and the Court accepts the plea of guilty, approves the waiver of a jury herein, and the consent to stipulate testimony.

BOB JONES
Judge Presiding

Conditions of probation:

(1) Obey all orders of the Court and the Probation Officer.

(2) Commit no offense against the laws of this or any State or of the United States.

(3) Avoid injurious or vicious habits.

(4) Avoid the use of all narcotics, habit forming drugs, alcoholic beverages, and controlled substances.

(5) Avoid persons or places of disreputable or harmful character (including association with any person previously convicted of a felony crime without the permission of the Probation Officer).

(6) Report to your Probation Officer on the second Thursday of each month at 9:00 a.m. and at any subsequent time as instructed by your Probation Officer.

(7) Permit the Probation Officer to visit you at your home or elsewhere.

(8) Work faithfully at suitable employment as far as possible, subject to the approval of the Court and/or the Probation Officer.

(9) Do not change place of residence without the permission of the Probation Officer and report within five (5) days of any change in employment or marital status.

(10) Remain within Travis County, Texas, unless permitted to depart by the Court and/or the Probation Officer.

(11) Support your dependents.

(12) Pay your Costs of Court and fine, in one or several sums, that the Court shall determine, to wit: $ 500.00 Fine; $ 82.50 Court Costs; totaling $ 582.50 in payments of $ 50.00 each month starting on 1-20-92 and on the 20th day of each month thereafter, payments made to the Community Supervision and Corrections Department of Travis County (hereafter called the "Department").

(13) Pay $40.00 a month probation supervision fee to the Department during probationary period starting on 1-20-92 and on the 20th day of each month thereafter.

(14) Restitution should be paid to the Department in the amount of $ 400.00, in payments of $ 400.00 each month starting on 1-10-92 and on the 10th day of each month thereafter until the total is paid.

(15) Reimburse the County for compensation paid to appointed counsel totaling $_____, in payments of $_____ each month starting on _____ and on the _____ day of each month thereafter until the total is paid.

(16) Pay a Personal Bond fee of $20.00 (or) _____ within thirty (30) days to the Personal Bond Office.

(17) All Court ordered monies must be paid off sixty (60) days prior to discharge.

(18) Refrain from disorderly conduct, abusive language, or disturbing the peace while present at the office of the Department.

(19) Pay a $10.00 Crime Stoppers fee through the Department by 7-1-92.

_____ (20) Enroll in the T.C.C.C. Felony (circle one: Bad Check II, Theft II, Assault II, Chemical Dependency I or II, Anger Management).

_____ (21) Assigned to Intensive Probation (Intensive Supervision Project) for one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

_____ (22) Assigned to Intensive Probation for Specialized Caseload—(circle one: Mental Health, Developmentally Disabled, Alcohol, Drug) Offenders (in lieu of incarceration in IDTDCJ) for a period of one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

X (23) Submit a urine specimen at the direction of the Probation Officer, daily if ordered, and pay all costs if required.

_____ (24) Obtain GED within _____ year(s).

X (25) Report to T.C.C.C. Felony Theft Program on the date designated by your Probation Officer, cooperate and participate while you are a client thereof, pay all costs of treatment, and remain until ~~XXXXXX~~ successfully discharged by the proper authorities.

X (26) Have no contact and do not associate with Michael Dailey and Christopher Lamprecht.

X (27) Complete 250 hours of Community Service Restitution at a place designated by your Probation Officer.

You are hereby advised that under the law of this State, the Court shall determine the terms and conditions of your probation, and may at any time during the period of probation, alter or modify the conditions of your probation. The Court also has the authority at any time during the period of your probation to revoke your probation for violation of any of the conditions set out above.

Witness our signature this 9th day of January, 19 92.

Judge Presiding

We, the undersigned, certify delivery of the Conditions of Probation to the above named defendant.

Probation Officer

District Clerk

Defendent's Receipt

I acknowledge receipt of one copy of the Conditions of my probation which were read to me by the Presiding Judge and I understand and agree to obey these Conditions of Probation.

Defendant

RIGHT ~~INDEX FINGER~~ THUMB

FILED

JAN 9 3:56 PM '92

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

and him safely keep, so that you have him before the Honorable 167 Judicial District Court of Travis County, Texas, at the Court House of said County, in the City of Austin instanter, then and there to answer The State of Texas upon an indictment pending in said Court, charging him with the offense of

Burglary of a Building

HEREIN FAIL NOT, but due return make hereof as the law directs.
Given under my hand and seal of office at Austin, Texas, this 21st day of November, 19 91.

Y No Return on Warrant
X No Bond in File
X Not in Jail
____ Bond Forfeiture

BONDSMAN: _____

DATE OF BOND: _____

Capias Ordered Issued By Court "Defendant Failed TO Appear

AMALIA RODRIGUEZ-MENDOZA
Clerk of the District Courts of Travis County, Texas

By Teresa Fisher
Deputy

Bond: $5,000

OFFICER'S RETURN

Came to hand the _____ day of _____, A.D. 19____, and executed on the _____ day of _____ A.D. 19_____, by arresting the within named _____ at _____ in _____ County, Texas, by:

(1) placing him in the County Jail of _____ County, Texas.

(2) taking his bond which is returned herewith.

(3)_____

Returned this the _____ day of _____ A. D. 19____.

Fees $_____

Mileage $_____

Total $_____

Sheriff, _____ County, Texas

By _____
Deputy

ORDER OF COMMITMENT

TO THE SHERIFF OF TRAVIS COUNTY, GREETINGS: Joint 3

Rodney S. Canlon (Name of Defendant) who having been brought before me this

October 18, 1991 (Today's Date) day at 12:20p .M.

charged with the offense Burglary of Building - Second degree Felony

Is COMMITTED to the CUSTODY of the SHERIFF of Travis County, Texas, to be detained unless he/she complies with the conditions of bond set on this date or any amendment or modification thereof.

1. Defendant is ordered to appear in the ___ Justice Court Number ___
   ___ County Court at Law Number One, First Appearance Ofc, Rm 205
   XXX 147 th District Court
   ___ Austin Municipal Court
   on Instanter (Appearance Date) at ___ .M.
2. If defendant is in custody on the above date, the SHERIFF is hereby ordered to present said defendant in the above Court on said appearance date and at all times said charge(s) or accusation(s) are called before said Court.
3. Bail is hereby set as follows: 5,000.00
4. Bond is acceptable if in compliance with Articles 17.03, 17.031, 17.04, and/or 17.08 of the Texas Code of Criminal Procedure.

The undersigned hereby certifies that the defendant has been warned of his/her rights under Art. 15.17 of the Texas Code of Criminal Procedure.

HEREINFAIL NOT of this ORDER but make due return showing how you have executed same.

ATTORNEY: waive warning 10/18/91 @ 12:50pm
Jamie E. Anderson for WHS

RETAINED X APPOINTED ___

Judge of the Municipal Court of Travis County, Texas (Acting as Magistrate)

White Sheriff | Green Defendant | Yellow Dist Clk/Crt Coord | Pink Dist/Co Atty | Gold Iss Court

Cause No. 91-MC2278 Bond ___

Offense#91-2910252 K. Burt

Control No. D.A.#91-3893 ___

* *

THE STATE OF TEXAS

VS.

Name Rodney S. Canlon

Address 2207 Wickersham #1510

City Austin State TX Zip ___

DOB 4/6/68 Sex M Race W P C S

* *

ORDER OF COMMITMENT

Issued October 18, 1991

Justice of the Peace Precinct Number ___

County Court at Law Number ___ ___

___ th District Court ___

Austin Municipal Court XXX

Travis County, Texas

* *

SHERIFF'S RETURN

CAME TO HAND THIS ___ day of ___, 19 ___, at ___ o'clock ___ .M., and executed this ___ day of ___, 19 ___, at ___ o'clock ___ .M., by placing the accused in jail in Travis County, Texas.

Doyne Bailey

SHERIFF OF TRAVIS COUNTY, TEXAS

by Deputy

#304

PO: 1009/nb
UNIT#: Ct. Svs.

CAUSE 914976

STATE OF TEXAS — 167TH DISTRICT COURT

vs. — of

CHRISTOPHER LAMPRECHT — TRAVIS COUNTY, TEXAS

ORDER RELEASING DEFENDANT FROM DEFERRED ADJUDICATION COMMUNITY SUPERVISION

On this day, the Court having reviewed all proceedings in the above cause in which the Defendant Christopher Lamprecht, was placed on a Deferred Adjudication pursuant to Sec. 5 (a), Art. 42.12, Texas Code of Criminal Procedure.

It appears to the Court that said Defendant has complied with the terms and conditions of said Deferred Adjudication; and it further appears that the period of Community Supervision has expired and that the Defendant herein should be discharged.

IT IS THEREFORE ORDERED that all charges filed in this case against the Defendant are hereby dismissed and the Defendant discharged from the Deferred Adjudication Community Supervision pursuant to Article 42.12 Â§ 5(c) Texas Code of Criminal Procedure.

If eligible for an order of nondisclosure, the earliest date the defendant will be eligible to file the petition is:

☐ immediately; or
☐ on the second anniversary of this order

Filed In The District Court
of Travis County, Texas
on 2.3.17
at 1211 P.M.
Velva L. Price, District Clerk

Signed this 2ND day of February, A.D. 20 17.

Adult Probation Officer

Judge Presiding

Defendant successfully discharged on 03-01-94.

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the defendant's probation be revoked, because the defendant has violated the terms and conditions of the probation as follows:

Specifically, the State will show that the defendant:

( ) failed to avoid injurious or vicious habits in that _____

( ) failed to avoid persons or places of disreputable or harmful character in that _____

( ) did not report to the probation officer on _____

( ) did not work faithfully at suitable employment.

( ) changed place of residence without permission of the probation officer.

( ) did not remain in Travis County, Texas.

( ) has not paid restitution as ordered and is delinquent $_____

(X) has not paid probation supervision fees and is delinquent $ 70.11

(X) has not paid fine and court costs and is delinquent $ 69.99

( ) failed to submit urine specimens on _____

( ) has not paid restitution for court appointed attorney fees and is delinquent $_____

( ) has failed to do community service restitution as ordered and is delinquent $_____

(X) Failure to pay crimestoppers and is delinquent 10.00.

(X) committed a subsequent criminal offense in that (see back)

The State requests that a warrant issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: Christine White
Assistant District Attorney

Filed in The District Court
of Travis County, Texas
on 8/21/92
at 10:15 A. M.
Amalia Rodriguez-Mendoza, Clerk

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 21st day of August, 1992, at 9:00 o'clock M., and it is ORDERED that ~~a warrant/summons~~ issue to secure the defendant's presence.

SIGNED this 21st day of August, 1992.

Judge

Name of Witness	Avocation	Street Address	County
1. JOHN PENDERGRASS #861	POLICE OFFICER	A.P.D. 715 E. 8th St.	TRAVIS
2. MICHAEL McDONALD #1041			
3. KEITH BUEL #452			
4. CRAIG LIGON #1461			
5. ROBERT MERRIL #424			
6. SUSAN MAYERS #822			
7. DALIA PRINCE #1615			
8. LINDA JACK #1411			
9. YANICE MARTINEZ #906			
10. MARK PAYNE #780	↓	↓	↓
11. SCOTT BEERY	TURNER	TRAVIS COUNTY JAIL	TRAVIS
12. MICHELLE WOODS	TURNER	6604 OSAGE TR., PLANO TX 75023	COLLIN
13.			
14. EACH WITNESS IS TO BRING ALL NOTES, MEMOS AND ANY OTHER			
15. DOCUMENTATION IN THEIR POSSESSION OR SUBJECT TO THEIR CONTROL OR ACCESS PERTAINING TO THIS CASE.			

These witnesses are to be and appear on the 14th day of SEPTEMBER, 1992, at 9:00 o'clock A .M., at the Courthouse in Austin, Texas in the 167th District Court of Travis County, Texas.

Scott C. Smith

ATTORNEY FOR STATE/DEFENDANT

TO ANY SHERIFF OR PEACE OFFICER OF THE STATE OF TEXAS - - - GREETINGS:

You are commanded to summon the above named witnesses to be and personally appear at 9:00 o'clock A .M., on the 14th day of SEPTEMBER, 1992, before the 167th District Court of Travis County, Texas, then and there to testify and the truth to speak on behalf of the Defendant in the above styled and numbered cause, and there to remain from day to day, and from term to term, until discharged, and due return hereof make according to law.

Issued and given under my hand and seal of said Court in the City of Austin, Texas this the 8 day of September, 1992.

AMALIA RODRIGUEZ-MENDOZA
District Clerk, Travis County, Texas

By: _____
Deputy

ADJUDICATION OF GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the defendant's probation be revoked, because the defendant has violated the terms and conditions of the probation as follows:

Specifically, the State will show that the defendant:

( ) failed to avoid injurious or vicious habits in that _____

( ) failed to avoid persons or places of disreputable or harmful character in that _____

( ) did not report to the probation officer on _____

( ) did not work faithfully at suitable employment.

( ) changed place of residence without permission of the probation officer.

( ) did not remain in Travis County, Texas.

( ) has not paid restitution as ordered and is delinquent $_____

(X) has not paid probation supervision fees and is delinquent $ 70.11

(X) has not paid fine and court costs and is delinquent $ 69.99

( ) failed to submit urine specimens on _____

( ) has not paid restitution for court appointed attorney fees and is delinquent $_____

( ) has failed to do community service restitution as ordered and is delinquent $_____

(X) Failure to pay CR Fee Stepdays and is delinquent 10.00.

(X) committed a subsequent criminal offense in that (see back)

The State requests that a warrant issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
Assistant District Attorney

Filed in The District Court
of Travis County, Texas
on 8/21/92
at 10:15 A. M.
Amalia Rodriguez-Mendoza, Clerk

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 24th day of August, 1992, at 9:00 o'clock A.M., and it is ORDERED that ~~a warrant/summons~~ issue to secure the defendant's presence.

SIGNED this 21st day of August, 1992.

_____
Judge

in the County of Travis, and State of Texas, did then and there knowingly and intentionally enter a building without the effective consent of Jerry Carson, the owner, and therein attempted to commit and committed theft.

On or about the 5th day of July A.D. 1992, and before the presentment of this indictment, in the County of Travis, and State of Texas, did then and there knowingly and intentionally enter a building without the effective consent of Drew Scott, the owner, and therein attempted to commit and committed theft.

ADJUDICATION OF GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the defendant's probation be revoked, because the defendant has violated the terms and conditions of the probation as follows:

Specifically, the State will show that the defendant:

( ) failed to avoid injurious or vicious habits in that _____

( ) failed to avoid persons or places of disreputable or harmful character in that _____

( ) did not report to the probation officer on _____

( ) did not work faithfully at suitable employment.

( ) changed place of residence without permission of the probation officer.

( ) did not remain in Travis County, Texas.

( ) has not paid restitution as ordered and is delinquent $_____

(X) has not paid probation supervision fees and is delinquent $ 70.11

(X) has not paid fine and court costs and is delinquent $ 699

( ) failed to submit urine specimens on _____

( ) has not paid restitution for court appointed attorney fees and is delinquent $_____

( ) has failed to do community service restitution as ordered and is delinquent $_____

(X) Failure to pay crimestoppers and is delinquent 10.00.

(X) committed a subsequent criminal offense in that (see back)

The State requests that a warrant issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
Assistant District Attorney

Filed in The District Court
of Travis County, Texas
on 8/21/92
at 10:15 A. M.
Amalia Rodriguez-Mendoza, Clerk

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 24 day of August, 1992, at 9:00 o'clock A.M., and it is ORDERED that ~~a warrant/summons~~ issue to secure the defendant's presence.

SIGNED this 21 day of August, 1992.

_____
Judge

STATE OF TEXAS
COUNTY OF TRAVIS

NO. 0914976

TO ANY SHERIFF OF THE STATE OF TEXAS - - GREETINGS:

You are hereby commanded to arrest:

CHRISTOPHER LAMPRECHT,

defendant in the above numbered and cause and him safely keep, so that you have him before the HONORABLE B0B JONES, Judge of the 167 Judicial District Courts of Travis County, Texas situated in the City of Austin at the Courthouse of said County, there to answer The State of Texas upon an application to revoke probation of the defendant on said cause, entitled The State of Texas Vs. CHRISTOPHER LAMPRECHT.

You are further commanded to serve the defendant with the attached copy of the Application to Revoke Probation and the order setting said application for hearing and notifying said defendant to appear at the time and place set out in said Order, then and there to show cause, if any, why said application should not be granted as prayed for.

HEREIN FAIL NOT, but due return make hereof as the law directs.

Given under my hand and seal of office at Austin, Texas this September 16, 1992

AMALIA RODRIGUEZ-MENDOZA
District Clerk
Travis County, Texas

By: _____ Deputy

FILED
92 SEP 17 PM 1:05
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

OFFICER'S RETURN

Came to hand on the _____ day of _____, A.D., 19____ and executed on the _____ day of _____, A.D., 19____ by arresting the within named defendant, CHRISTOPHER LAMPRECHT, at _____ in _____ County, Texas and serving the attached copy of the application to revoke probation and the order setting hearing on said application on the defendant and placing him in the jail of Travis County, Texas.

DAN T. RICHARDS, Sheriff
Travis County, Texas

By: _____ Deputy

ADJUDICATION OF GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the defendant's probation be revoked, because the defendant has violated the terms and conditions of the probation as follows:

Specifically, the State will show that the defendant:

( ) failed to avoid injurious or vicious habits in that _____

( ) failed to avoid persons or places of disreputable or harmful character in that _____

( ) did not report to the probation officer on _____

( ) did not work faithfully at suitable employment.

( ) changed place of residence without permission of the probation officer.

( ) did not remain in Travis County, Texas.

( ) has not paid restitution as ordered and is delinquent $_____

(X) has not paid probation supervision fees and is delinquent $ 70.11

(X) has not paid fine and court costs and is delinquent $ 699

( ) failed to submit urine specimens on _____

( ) has not paid restitution for court appointed attorney fees and is delinquent $_____

( ) has failed to do community service restitution as ordered and is delinquent $_____

(X) Failure to pay crimestoppers and is delinquent 10.00.

(X) committed a subsequent criminal offense in that (see back)

The State requests that a warrant issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
Assistant District Attorney

Filed in The District Court
of Travis County, Texas
on 8/21/92
at 10:15 A. M.
Amalia Rodriguez-Mendoza, Clerk

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 24th day of August, 1992, at 9:00 o'clock A.M., and it is ORDERED that ~~a warrant/summons~~ issue to secure the defendant's presence.

SIGNED this 21st day of August, 1992.

_____
Judge

this cause was called for trial and the State appeared by her District Attorney, and the defendant, Christopher Lamprecht, appeared in person in open Court, his/~~her~~ counsel, Scott Smith, also being present, and the said defendant having been duly arraigned, pleaded guilty to the indictment/~~information~~ herein, both parties announced ready for trial, and thereupon a trial by jury was waived by all parties and the reading of the indictment/~~information~~ was waived, THEREUPON the State elected to proceed on a lesser included offense of Criminal Trespass, a Class "A" misdemeanor and the defendant pleaded guilty thereto, and the Court having heard the evidence submitted and having heard arguments of both sides found sufficient evidence to find the defendant guilty of the offense of Criminal Trespass, Class "A" misdemeanor

However, on the 23rd day of January, A.D., 19 92, the Court being of the opinion that the best interests of society and the defendant will be served in this cause by deferring further proceedings without entering an adjudication of guilt pursuant to Article 42.12, Section 5 of the Code of Criminal Procedure, as amended, it is therefore **CONSIDERED, ORDERED** and **ADJUDGED** that further proceedings in this cause shall be and are hereby deferred and the defendant placed on probation in this cause for a period of One (1) probated for Two (2) years with a $500.00 fine. from this date under the supervision of the Court and the duly appointed and acting Adult Probation Officer of Travis County, Texas, subject to the following conditions of probation, and the defendant shall, during the term of probation:

FILED
JAN 31 2 32 PM '92
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

VOL 0 8 4 3 PG 5 2 7

5. Avoid persons or places of disreputable or harmful character (including association with any person previously convicted of a felony crime without the permission of the Probation Officer).

6. Report to your Probation Officer on the third Thursday of each month at 9:00 a.m. and at any subsequent time as instructed by your Probation Officer.

7. Permit the Probation Officer to visit you at your home or elsewhere.

8. Work faithfully at suitable employment as far as possible, subject to the approval of he Court and/or the Probation Officer.

9. Do not change place of residence without the permission of the Probation Officer and report within five (5) days of any change in employment or marital status.

10. Remain in Travis County, Texas, unless permitted to depart by the Court and/or the Probation Officer.

11. Support your dependants.

12. Pay your fine and the costs of the Court, in one or several sums, that the Court shall determine, to-wit: $ 500.00 Fine; $ 82.50 Court Costs; totaling $ 582.50 in payments of $ 40.00 each month starting on February 20,1992 and on the day of each month thereafter, payments made to the Travis County Community Supervision and Corrections Department.

Fine $30.00
court costs $10.00

13. Pay $ 40.00 a month probation supervision fee to the Travis County Community Supervision and Corrections Department during your probationary period starting on February 20,1992 and on the 20th day of each month thereafter.

14. Restitution should be paid in the amount of $ 400.00, in payments of $ 20.00 each month starting on February 20,1992 and on the 20th day of each month thereafter until the total is paid.

15. Reimburse the County for compensation paid to appointed counsel totaling $, in payments of $ each month starting on and on the day of each month thereafter until the total is paid.

16. Pay a Personal Bond fee of $20.00 (or) $ within thirty (30) days to the Personal Bond Office.

17. All Court ordered monies must be paid off sixty (60) days prior to discharge.

18. Refrain from disorderly conduct, abusive language, or disturbing the peace while present at the office of the Department.

VL 0643 PG 528

authorities.

___ 21. Assigned to Intensive Probation (Intensive Supervision Project for one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of Probation Officer, daily if ordered.

___ 22. Assigned to Intensive Probation for Specialized Caseload --(circle one: Mental Health, Developmentally Disabled, Alcohol, Drug) Offenders (in lieu of incarceration in IDTDCJ) for a period of one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

X 23. Submit a urine specimen at the direction of the Probation Officer, daily if ordered, and pay all costs if required.

___ 24. Obtain GED within ___ year(s).

X 25. Report to T.C.C.C. Felony theft and Austin Stress Clinic's Assault Prevention on the date designated by your Probation Officer, cooperate and participate while you are a client thereof, pay all costs of treatment, and remain until ~~officially~~ discharged by the proper authorities.
successfully *Level II and Greater Austin Council on Alcoholism and Drug Abuse.

X 26. Have no contact and do not associate with Michael Dailey and Rodney Canion.

X 27. Complete 250 hours of CSR at no less than 5 hours per week.

VL 0643 PG 529

The defendant was informed that on violation of a condition of his probation that he may be arrested and detained as provided by law. That he is entitled to a hearing limited to the determination by the court of whether it proceeds with an adjudication of guilt on the original charge. That no appeal may be taken from this determination. That after adjudication of guilt, all proceedings including assessment of punishment, pronouncement of sentence, granting of probation and appeal continue as if the adjudication of guilt had not been deferred.

Signed the 31st day of January, A. D., 1992.

APPROVED AS TO FORM;

Assistant District Attorney

Judge Presiding

(1) Obey all orders of the Court and the Probation Officer.

(2) Commit no offense against the laws of this or any State or of the United States.

(3) Avoid injurious or vicious habits.

(4) Avoid the use of all narcotics, habit forming drugs, alcoholic beverages, and controlled substances.

(5) Avoid persons or places of disreputable or harmful character (including association with any person previously convicted of a felony crime without the permission of the Probation Officer).

(6) Report to your Probation Officer on 3rd Thursday of each month at 9:00 A.M. and at any subsequent time as instructed by your Probation Officer.

(7) Permit the Probation Officer to visit you at your home or elsewhere.

(8) Work faithfully at suitable employment as far as possible, subject to the approval of the Court and/or the Probation Officer.

(9) Do not change place of residence without the permission of the Probation Officer and report within five (5) days of any change in employment or marital status.

(10) Remain within Travis County, Texas, unless permitted to depart by the Court and/or the Probation Officer.

(11) Support your dependents.

F 30.00
CC 10.00

(12) Pay your Costs of Court and fine, in one or several sums, that the Court shall determine, to wit: $ 500.00 Fine; $ 82.50 Court Costs; totaling $ 582.50 in payments of $ 40.00 each month starting on 2-20-92 and on the _____ day of each month thereafter, payments made to the Community Supervision and Corrections Department of Travis County (hereafter called the "Department").

(13) Pay $40.00 a month probation supervision fee to the Department during probationary period starting on 2-20-92 _____ and on the 20th day of each month thereafter.

(14) Restitution should be paid to the Department in the amount of $ 400.00, in payments of $ 20.00 each month starting on 2-20-92 and on the 20th day of each month thereafter until the total is paid.

(15) Reimburse the County for compensation paid to appointed counsel totaling $_____, in payments of $_____ each month starting on _____ and on the _____ day of each month thereafter until the total is paid.

(16) Pay a Personal Bond fee of $20.00 (or) _____ within thirty (30) days to the Personal Bond Office.

(17) All Court ordered monies must be paid off sixty (60) days prior to discharge.

(18) Refrain from disorderly conduct, abusive language, or disturbing the peace while present at the office of the Department.

(19) Pay a $10.00 Crime Stoppers fee through the Department by 7-1-92.

____ (20) Enroll in the T.C.C.C. Felony (circle one: Bad Check II, Theft II, Assault II, Chemical Dependency I or II, Anger Management).

____ (21) Assigned to Intensive Probation (Intensive Supervision Project) for one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

____ (22) Assigned to Intensive Probation for Specialized Caseload—(circle one: Mental Health, Developmentally Disabled, Alcohol, Drug) Offenders (in lieu of incarceration in IDTDCJ) for a period of one (1) year or until the level of supervision is changed by the Court and/or the Probation Officer. Submit a urine specimen at the direction of the Probation Officer, daily if ordered.

X (23) Submit a urine specimen at the direction of the Probation Officer, daily if ordered, and pay all costs if required.

____ (24) Obtain GED within _____ year(s).

X (25) Report to T.C.C.C. Felony Theft and * on the date designated by your Probation Officer, cooperate and participate while you are a client thereof, pay all costs of treatment, and remain until ~~officially~~ successfully discharged by the proper authorities.

* Austin Stress Clinic's Assault Prevention Level II and Greater Austin Council on Alcoholism and Drug Abuse.

X (26) Have no contact and do not associate with Michael Dailey and Rodney Canion.

X (27) complete 200 hours of CSR at no less than 5 hours per week

You are hereby advised that under the law of this State, the Court shall determine the terms and conditions of your probation, and may at any time during the period of probation, alter or modify the conditions of your probation. The Court also has the authority at any time during the period of your probation to revoke your probation for violation of any of the conditions set out above.

Witness our signature this 21 day of April, 19 92

Judge Presiding

We, the undersigned, certify delivery of the Conditions of Probation to the above named defendant.

Laura Leron
Probation Officer

Stephen Sant
District Clerk

Defendent's Receipt

I acknowledge receipt of one copy of the Conditions of my probation which were read to me by the Presiding Judge and I understand and agree to obey these Conditions of Probation.

Chris Lamprecht
Defendant

RIGHT ~~INDEX FINGER~~ Thumb

FILED
APR 21 3 11 PM '92
Amelia Rodriguez, Deputy
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

No. 91-4976

THE STATE OF TEXAS	(	IN THE 167th DISTRICT COURT
VS.	(	OF
CHRISTOPHER LAMPRECT	(	TRAVIS COUNTY, T E X A S

MOTION TO PROCEED TO AN ADJUDICATION OF GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the court proceed to an adjudication of guilt of the defendant, because the defendant has violated the terms and conditions of the deferred adjudication as follows:

Specifically, the State will show that the defendant:

failed to report to the Probation Officer as directed on July 12, 1993;

has failed to report to the Travis County Counseling Center Felony Theft Program on July 10, 1993;

The State requests that a warrant issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: Frank W. Bryan, Jr.
Frank W. Bryan, Jr.
Assistant District Attorney

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 17th day of September, 1993, at 9:00 o'clock A.M., and it is ORDERED that a ( )warrant (✓)summons issue to secure the defendant's presence.

SIGNED this 11 day of Aug, 1993.

Judge

FILED
AUG 16 11 39 AM '93
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

ATRP-Summons prep. + cs. on 8-17-93 AC

VL 0747 PG 055

NO. 0914976

THE STATE OF TEXAS

VS.

CHRISTOPHER LAMPRECHT

IN THE 167TH JUDICIAL COURT

COURT OF

TRAVIS COUNTY, TEXAS

(DEFERRED ADJUDICATION)
ORDER CONTINUING DEFENDANT ON PROBATION

On this 19th day of November, A.D., 19 93, came on to be heard the matter determining whether or not the probation in the above entitled and numbered cause should be revoked and the sentence imposed, and the defendant appeared in person and by his attorney, Scott Smith, and the State appeared by her District Attorney and the Probation Officer of this Court, and the Court, after hearing the evidence submitted, is of the opinion, and so finds, that the defendant's probation should not be revoked at this particular time.

It is THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the order suspending the execution of the sentence, and placing the defendant on probation, heretofore entered in this cause be, and the same is hereby continued in full force and effect, and the defendant, Christopher Lamprecht, is ordered released from the custody of the Sheriff of Travis County and returned to the Supervision of the said Probation Officer of this Court, and the said defendant shall remain on probation subject to

VOL 0770 PG 617

FILED
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

CHRISTOPHER LAMPRECHT
CAUSE NO. 0914976

the terms and conditions as heretofore set out in the judgement and sentence in this cause, and subject further to the following conditions, viz:

SIGNED this the 13 day of Dec, A.D., 19 93.

APPROVED AS TO FORM:

Beverly A. Nichols
Assistant District Attorney

JUDGE, 167TH JUDICIAL
DISTRICT COURT
TRAVIS COUNTY, TEXAS

VL 0770 PG 678

IN THE 167th JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS

NO. 0914976 THE STATE OF TEXAS VS. Christopher Lamprecht

JAIL COMMITMENT

TO THE SHERIFF OF TRAVIS COUNTY, TEXAS ----------GREETINGS:

YOU ARE HEREBY COMMANDED to take into custody and commit to the jail of Travis County Christopher Lamprecht who was on the 30th day of September, A.D., 1992, ~~convicted~~ in the 167th JUDICIAL DISTRICT COURT of Travis County, Texas ~~of the offense of~~ continued on probation on condition he serve ~~and sentenced to~~ a term of 90 days in jail beginning on September 30, 1992 and said term to be credited with all back time served.

There keep him safely until said sentence is fully discharged by law.

HEREIN FAIL NOT, but of this Writ make due return, showing how you have executed the same.

WITNESS MY HAND and seal of office at Austin, Texas, this the 17th day of December, A.D., 1992.

DISTRICT COURT OF TRAVIS COUNTY TEXAS

AMALIA RODRIGUEZ-MENDOZA
District Clerk
Travis County, Texas

BY: _____
Deputy

SHERIFF'S RETURN

Came to hand the _____ day of _____, A.D., 19____, and executed the _____ day of _____, A.D., 19____. by _____

_____

_____, SHERIFF
TRAVIS COUNTY, TEXAS

BY: _____
Deputy

COPY

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes ROBERT SMITH, Assistant District Attorney, representing the state in the above entitled cause, and with the leave and under the direction of said court amends the indictment herein filed as follows, to wit: change the allegation of "building" to the term "habitation".

Assistant District Attorney

VL 0642 PG 268

ORDER OF AMENDMENT

This day came the state of Texas, by her district attorney, and asked leave of the court to amend the indictment herein, which leave was by the court granted, and thereupon the said district attorney, under the direction of the court, filed herein a written amendment of said indictment, amending the same in the following particular, to wit: change Allegation of "building" to the term "habitation".

It is therefore considered and ordered by the court that said indictment be and the same is amended as above stated.

JUDGE PRESIDING

FILED

JAN 23 7 23 PM '92

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

Now comes the defendant in open Court in the above entitled and numbered cause represented by his attorney with whom he has previously consulted and makes the following voluntary statement:

1. That I am sane and that I understand the nature of the charges contained in the indictment (or information) in this cause;

2. That the Court has advised me orally or in writing of the consequences of a plea of guilty;

3. That I have the right to a trial by jury whether I plead "Guilty", "Not Guilty", or "Nolo Contendere";

4. That I have the right to remain silent, but if I choose not to remain silent, anything I say can be used against me;

5. That I have the right to be confronted with the witnesses against me whether I have a trial before the Court or the jury.

However, I desire to waive and do waive the following rights:

1. The reading of the indictment (or information);

2. The right to be served with a copy of the indictment in this cause ten days prior to arraignment;

3. The right to be arraigned;

4. The right of trial by jury and request the consent and approval of the Court and of the attorney for the State to such waiver;

5. The right to remain silent stating that it is my desire to take the witness stand, knowing anything I may say can be used against me, and judicially confess my guilt;

6. The right to be confronted with the witnesses against me and request the approval of the Court to the stipulation of the evidence by waiving the appearance, confrontation and cross-examination of witnesses, furthermore I consent to the introduction of testimony and evidence by stipulation into the record by the attorney for the State by oral stipulation, or by affidavit, or by written statements of witnesses and any other documentary evidence;

7. The right to service of the indictment, the two-day waiting period for arraignment, the ten-day period for preparation after appointment of counsel, and the ten-day period in which to file written pleadings after arrest;

8. The right to a pre-sentence report and request that none be made.

I understand that any recommendation made by the prosecuting attorney as to punishment is not binding on the Court. That where there is a plea bargain agreement and the punishment assessed by the Court does not exceed the agreed recommendation, I do not have the right to appeal without permission of the Court except for those matters raised by written motions filed prior to trial. I therefore withdraw my pre-trial motions and waive my right to appeal.

I understand that if I receive deferred adjudication, the Court can assess the full range of punishment for the offense charged if the deferred adjudication probation is revoked.

I do admit and judicially confess that I knowingly, intentionally and unlawfully committed the acts alleged in the indictment (or information) in this cause (or the lesser included offense of Criminal Trespass of a habitation) at the time, place and in the manner alleged and that such allegations are true and correct, that I am in fact GUILTY of the offense alleged.

I voluntarily enter my plea of GUILTY to said offense. My plea is not influenced by any consideration of fear or any persuasion or any delusive hope of pardon. In making my plea of guilty I am not relying on any advice, information or agreement not made known to the Court at this time.

I request the Court to consider probating any sentence imposed, and as to the issue of punishment agree that the pre-sentence investigation report of the Community Supervision and Corrections Department may be considered by the Court.

I understand that if I am not a citizen of the United States that my plea may result in deportation, the exclusion of admission to this country, or denial of naturalization under federal law. There have been no promises made to me by my defense attorney, the prosecutor or the Court concerning my right to stay in the United States.

I understand that if I am convicted in a non-negotiated plea I have the right to appeal to the appropriate Court of Appeals of Texas, and the right to be represented on appeal by an attorney of my choice, but if I am too poor to pay for such attorney or the record on appeal, the Court will , without expense to me, provide an attorney and a proper record for such appeal.

I have not been committed to a mental institution nor do I presently have mental or emotional problems, and I believe that I am competant to stand trial. The attorney for defendant herein acknowledges that counsel believes the defendant is competent and able to assist counsel in the preparation of the defense and that the defendant appears to be sane and competent.

I acknowledge and understand the following admonitions which were explained to me by my attorney prior to entering an oral plea of guilty or nolo contendere.

That I am charged with a felony of the ~~First~~ Last degree which has a punishment range of:

a. First Degree - by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 5 years or more than 99 years or life, and in addition to imprisonment may be punished by a fine not to exceed $10,000.00;

b. Second Degree - by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 2 years of more than 20 years and in addition to imprisonment may be punished by a fine not to exceed $10,000.00;

c. Third Degree - confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 2 years or more than 10 years; or confinement in a community correctional facility for any term of not more than 1 year, and in addition to imprisonment, may be punished by a fine not to exceed $10,000.00.

d. Other - 1 year Travis County Correction Center by a $3,000 fine

VL 0642 PG 265

Travis County Clerk

IN THE 167th JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS

NO. 91496 THE STATE OF TEXAS VS. Christopher Lamprecht

ARRAIGNMENT OF THE DEFENDANT ON PLEA OF GUILTY

On this the 23rd day of January, A.D., 1992, the defendant, Christopher Lamprecht, and his attorney, Scott Smith, being present in open Court and the State's attorney also being present in open Court, and it appearing to the Court that the said defendant is on bail or is in custody and has been duly served with a copy of the indictment/information herein at least two entire days prior to the present day, the Court proceeded to cause the said defendant to be arraigned herein in due form of law, to-wit: the name of the said defendant as stated in the indictment/information was distinctly called, and thereupon the defendant stated that he understood the nature of the charges against him as contained in the indictment/information and waived the reading of the indictment/information and he was asked whether he was guilty or not guilty as therein charged, and the defendant answered in person that he was GUILTY as charged in said indictment/information.

Thereupon, the defendant was admonished by the Court of the consequences of said plea, including the minimum and maximum punishment provided by law, and of his right to remain silent, that he is not required to make a statement and that any statement he makes can be used against him, that he has a right to be confronted with the witnesses against him, and that he has a right to a jury trial, and the said defendant persisted in pleading guilty. It plainly appearing to the Court that the defendant is Mentally Competent and the Court finds his plea to be free and voluntary and the said plea of Guilty is by the Court received and here now entered of record upon the Minutes of the Court as the plea herein of said defendant.

VL 0642 PG 267

JUDGE PRESIDING

FILED

JAN 23 7 23 PM '92

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

No. 91-4976

THE STATE OF TEXAS	I	IN THE 167th DISTRICT COURT
VS.	I	OF
CHRISTOPHER LAMPRECT	I	TRAVIS COUNTY, T E X A S

MOTION TO PROCEED TO AN ADJUDICATION OF GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the court proceed to an adjudication of guilt of the defendant, because the defendant has violated the terms and conditions of the deferred adjudication as follows:

Specifically, the State will show that the defendant:

failed to report to the Probation Officer as directed on July 12, 1993;

has failed to report to the Travis County Counseling Center Felony Theft Program on July 10, 1993;

The State requests that a warrant issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: Frank W. Bryan Jr.
Frank W. Bryan, Jr.
Assistant District Attorney

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 17th day of September, 1993, at 9:00 o'clock A.M., and it is ORDERED that a ( )warrant (✓)summons issue to secure the defendant's presence.

SIGNED this 11 day of Aug, 1993.

Mike Lynch
Judge

FILED
AUG 10 11 39 AM '93
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

DEFERRED ADJUDICATION

ORDER CONTINUING DEFENDANT ON PROBATION

On this 30th day of September, A.D., 1992, came on to be heard the matter of determining whether or not the probation in the above entitled and numbered cause should be revoked and the sentence imposed, and the defendant appeared in person and by his attorney, Scott Smith, and the State appeared by her District Attorney and the Probation Officer of this Court, and the Court, after hearing the evidence submitted, is of the opinion, and so finds, that the defendant's probation should not be revoked at this particular time.

It is THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the order suspending the execution of the sentence, and placing the defendant on probation, heretofore entered in this cause be, and the same is hereby continued in full force and effect, and the defendant, Christopher Lamprecht is ordered released from the custody of the Sheriff of Travis County and returned to the Supervision of the said Probation Officer of this Court, and the said defendant shall remain on probation subject to the terms and conditions as heretofore set out in the judgement and sentence in this cause, and subject further to the following conditions, viz:

- serve 90 days in the Travis County Jail as a condition of probation with credit for time served.

VOL 0689 PG 354

SIGNED this the 30th day of [signature], A.D., 1992.

APPROVED AS TO FORM:

ASSISTANT DISTRICT ATTORNEY

[signature]
JUDGE, 167 TH JUDICIAL DISTRICT COURT
TRAVIS COUNTY, TEXAS

FILED
OCT 6 1 21 PM '92
Dorothy Rodriguez-Escobar
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

1C03A
28418

IN THE 167th JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS

NO. 0914976 THE STATE OF TEXAS VS. Christopher Lamprecht

JAIL COMMITMENT

TO THE SHERIFF OF TRAVIS COUNTY, TEXAS ----------GREETINGS:

YOU ARE HEREBY COMMANDED to take into custody and commit to the jail of Travis County Christopher Lamprecht who was on the 30th day of September, A.D., 1992, ~~convicted~~ in the 167th JUDICIAL DISTRICT COURT of Travis County, Texas ~~of the offense of~~ continued on probation on condition he serve ~~and sentenced to~~ a term of 90 days in jail beginning on September 30, 1992 and said term to be credited with all back time served.

There keep him safely until said sentence is fully discharged by law.

HEREIN FAIL NOT, but of this Writ make due return, showing how you have executed the same.

WITNESS MY HAND and seal of office at Austin, Texas, this the 17th day of December, A.D., 1992.

DISTRICT COURT OF TRAVIS COUNTY TEXAS

AMALIA RODRIGUEZ-MENDOZA
District Clerk
Travis County, Texas

BY: _____
Deputy

SHERIFF'S RETURN

Came to hand the 17 day of December, A.D., 1992, and executed the 17 day of December, A.D., 1992. by placing Christopher Lamprecht in jail in Austin County

FILED
DEC 30 10 56 AM '92
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

Executed by placing the within named defendant in the Travis County Jail, for 90 days which paid fine and costs.

Released 12/17/92

By _____ DEPUTY

Terry Keel, SHERIFF
TRAVIS COUNTY, TEXAS

BY: _____
Deputy

DATE PROBATED 01-23-92

LENGTH Two (2) years

I hereby swear that I am unable to make the Probation Fee payment for the month - months of 08-20-92 / 01-20-94 for a total waiver of $ 720.00.

Chris Lampedi
PROBATIONER

Recommended waiver of Probation Fee payment for the month - months of 08-20-92 / 01-20-94 for a total waiver of $ 720.00.

Katherine E Kelley
PROBATION OFFICER

Condition (13) of the Orders of Probation in the above named and numbered cause requiring probation fee in the amount of $ 40.00 monthly, is hereby waived for the month - months of 08-20-92 / 01-20-94 for a total waiver of $ 720.00.

Signed this 9th day of March, A.D., 1993.

Mike Lynch
JUDGE, PRESIDING

FILED
93 MAR 12 PM 3:48
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

ADJUDICATION OF GUILT.

TO THE HONORABLE JUDGE OF SAID COURT:

The State of Texas moves that the defendant's probation be revoked, because the defendant has violated the terms and conditions of the probation as follows:

Specifically, the State will show that the defendant:

( ) failed to avoid injurious or vicious habits in that _____

( ) failed to avoid persons or places of disreputable or harmful character in that _____

( ) did not report to the probation officer on _____

( ) did not work faithfully at suitable employment.

( ) changed place of residence without permission of the probation officer.

( ) did not remain in Travis County, Texas.

( ) has not paid restitution as ordered and is delinquent $_____

(X) has not paid probation supervision fees and is delinquent $ 70.11

(X) has not paid fine and court costs and is delinquent $ 69.99

( ) failed to submit urine specimens on _____

( ) has not paid restitution for court appointed attorney fees and is delinquent $_____

( ) has failed to do community service restitution as ordered and is delinquent $_____

(X) Failure to pay crimestoppers and is delinquent 10.00.

(X) committed a subsequent criminal offense in that (see back)

The State requests that a warrant issue.

Respectfully submitted,
Ronald Earle, District Attorney

By: _____
Assistant District Attorney

Filed in The District Court
of Travis County, Texas
on 8/21/92
at 10:15 A. M.
Amalia Rodriguez-Mendoza, Clerk

ORDER

It is ORDERED that a hearing on the foregoing Motion is set on the 24th day of August, 1992, at 9:00 o'clock A.M., and it is ORDERED that a warrant ~~/ summons~~ issue to secure the defendant's presence.

SIGNED this 21st day of August, 1992.

_____
Judge

VL 0068 PG 0840

Name of Witness	Avocation	Street Address	County
1. John Pendergrass 680335 #861	Police Officer	A.P.D. 715 E. 8th Street	Travis
2. Michael McDonald 580542 #1041			
3. Keith Burt 120332 #452			
4. Craig Ligon 520365 #1461			
5. Robert Merrill 590254 #424			
6. Susan Myers 630217 #822			
7. Dana Reiner 730232 #1615			
8. Linda Jack 450282 #1411			
9. Xavier Martinez 560392 #906			
10. Mark Payne 680336 #780			
11. Scott Berry 080348	Inmate	Travis County Jail	
12. Michelle Wood	Insurance	6604 Osage Tr. Plano, TX	Collin
13. Each witness is to bring all notes, memos, and any other documentation			
14. in their possession or subject to their control or access pertaining to			
15. this case.			

1992 SEP 22 AM 7:01 TRAVIS COUNTY, TEXAS

These witnesses are to be and appear on the 28th **day of** September, 19 92, **at** 9:00 **o'clock** A. **.M., at the Courthouse in Austin, Texas in the** 167th **District Court of Travis County, Texas.**

ATTORNEY FOR STATE/DEFENDANT

TO ANY SHERIFF OR PEACE OFFICER OF THE STATE OF TEXAS - - - GREETINGS:

You are commanded to summon the above named witnesses to be and personally appear at 9:00 **o'clock** A **.M., on the** 28th **day of** September, 19 92, **before the** 167th **District Court of Travis County, Texas, then and there to testify and the truth to speak on behalf of the** Defendant **in the above styled and numbered cause, and there to remain from day to day, and from term to term, until discharged, and due return hereof make according to law.**

Issued and given under my hand and seal of said Court in the City of Austin, Texas this the 21st **day of** Sept, 19 92.

FILED
92 SEP 21 AM 9:38
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

AMALIA RODRIGUEZ-MENDOZA
District Clerk, Travis County, Texas

By: Elizabeth Cunningham
Deputy

ORDER OF COMMITMENT

TO THE SHERIFF OF TRAVIS COUNTY, GREETINGS:

Christopher Lamprecht (Name of Defendant) who having been brought before me this

September 17, 1992 (Today's Date) day at 2:08 P.M.

charged with the offense ATRP-Burg Bldg/Motion to Proceed w/Adjud of Guilt

Is COMMITTED to the CUSTODY of the SHERIFF of Travis County, Texas, to be detained unless he/she complies with the conditions of bond set on this date or any amendment or modification thereof.

1. Defendant is ordered to appear in the ___ Justice Court Number ___
   ___ County Court at Law Number One, First Appearance Ofc, Rm 205
   x 167 th District Court
   ___ Austin Municipal Court
   on Instanter (Appearance Date) at ___ .M.

2. If defendant is in custody on the above date, the SHERIFF is hereby ordered to present said defendant in the above Court on said appearance date and at all times said charge(s) or accusation(s) are called before said Court.

3. Bail is hereby set as follows: No Bond

4. Bond is acceptable if in compliance with Articles 17.03, 17.031, 17.04, and/or 17.08 of the Texas Code of Criminal Procedure.

The undersigned hereby certifies that the defendant has been warned of his/her rights under Art. 15.17 of the Texas Code of Criminal Procedure.

HEREINFAIL NOT of this ORDER but make due return showing how you have executed same.

000125

ATTORNEY:

RETAINED ___ APPOINTED ___

Judge of the JP Court 5-Jade Meeker of Travis County, Texas (Acting as Magistrate)

White Sheriff | Green Defendant | Yellow Dist Clk/Crt Coord | Pink Dist/Co Atty | Gold Iss Court

Cause No. 914976 Bond ___

Control No. ___

* *

THE STATE OF TEXAS

VS.

Name Chrisotpher Lamprecht

Address ___

City ___ State ___ Zip ___

DOB 5/22/72 Sex M Race W P C S

* *

ORDER OF COMMITMENT

Issued September 17, 1992

Justice of the Peace Precinct Number ___

County Court at Law Number ___

167 th District Court X

Austin Municipal Court ___

Travis County, Texas

* *

SHERIFF'S RETURN

CAME TO HAND THIS ___ day of ___ 19 ___, at ___ o'clock ___ .M., and executed this 17 day of Sept., 19 92, at 2:08 o'clock P.M., by placing the accused in jail in Travis County, Texas.

Dan Richards

SHERIFF OF TRAVIS COUNTY, TEXAS

by Deputy

Name of Witness		Avocation	Street Address	County
1. John Pendergrass	#861	Police Officer	A.P.D. 715 E. 8th Street	Travis
2. Michael McDonald	#1041			
3. Keith Burt	#452			
4. Craig Ligon	#1461			
5. Robert Merrill	#424			
6. Susan Myers	#822			
7. Dana Reiner	#1615			
8. Linda Jack	#1411			
9. Xavier Martinez	#906			
10. Mark Payne	#780	✓	✓	✓
11. Scott Berry		Inmate	Travis County Jail	
12. Michelle Wood		Insurance	6604 Osage Tr. Plano, TX	Collin
13. Each witness is to bring all notes, memos, and any other documentation				
14. in their possession or subject to their control or access pertaining to				
15. this case.				

These witnesses are to be and appear on the 29th day of September, 19 92, at 9:00 o'clock A. .M., at the Courthouse in Austin, Texas in the 167th District Court of Travis County, Texas.

ATTORNEY FOR STATE/DEFENDANT

TO ANY SHERIFF OR PEACE OFFICER OF THE STATE OF TEXAS - - - GREETINGS:

You are commanded to summon the above named witnesses to be and personally appear at 9:00 o'clock A .M., on the 29th day of September, 19 92, before the 167th District Court of Travis County, Texas, then and there to testify and the truth to speak on behalf of the Defendant in the above styled and numbered cause, and there to remain from day to day, and from term to term, until discharged, and due return hereof make according to law.

Issued and given under my hand and seal of said Court in the City of Austin, Texas this the 21st day of Sept, 19 92.

FILED
92 SEP 21

AMALIA RODRIGUEZ-MENDOZA
District Clerk, Travis County, Texas

By: Elizabeth Cunningham
Deputy

Name of Witness	Avocation	Street Address	County
1. JOHN RUNNELS #861	POLICE OFFICER	A.P.D. 715 E. 8th ST.	TRAVIS
2. MICHAEL McDONALD #1041			
3. KEITH BURT #452			
4. CRAIG LIGON #1461			
5. ROBERT MORRIS #424			
6. SUSAN MYERS #822			
7. DANA RUIZ #1615			
8. LINDA JACK #1411			
9. BEATRICE MARTINEZ #906			
10. MARK PAYNE #780	↓	↓	↓
11. SCOTT BERRY	INMATE	TRAVIS COUNTY JAIL	TRAVIS
12. MICHELLE WOOD	INSURANCE	6604 OSAGE TR, PLANO, TX 75023	COLLIN
13.			
14. EACH WITNESS IS TO BRING ALL NOTES, MEMOS, AND ALL OTHER			
15. DOCUMENTATION IN THEIR POSSESSION OR SUBJECT TO THEIR CONTROL OR ACCESS PERTAINING TO THIS CASE			

These witnesses are to be and appear on the 17th day of SEPTEMBER, 1992, at 9:00 o'clock A.M., at the Courthouse in Austin, Texas in the 167th District Court of Travis County, Texas.

ATTORNEY FOR STATE/DEFENDANT

TO ANY SHERIFF OR PEACE OFFICER OF THE STATE OF TEXAS - - - GREETINGS:

You are commanded to summon the above named witnesses to be and personally appear at 9:00 o'clock A.M., on the 17th day of SEPTEMBER, 1992, before the 167th District Court of Travis County, Texas, then and there to testify and the truth to speak on behalf of the DEFENDANT in the above styled and numbered cause, and there to remain from day to day, and from term to term, until discharged, and due return hereof make according to law.

Issued and given under my hand and seal of said Court in the City of Austin, Texas this the 16 day of September, 1992.

AMALIA RODRIGUEZ-MENDOZA
District Clerk, Travis County, Texas

By: _____
Deputy

DISTRICT COURT OF TRAVIS COUNTY, TEXAS

Name of Witness	Avocation	Street Address	County	BPN
1. JOHN PENDERGRASS #861	POLICE OFFICER	A.P.D. 715 E. 8th St.	TRAVIS	680325
2. MICHAEL McDONALD #1041				580533
3. KEITH BUELL #452				120326
4. CRAIG LIGON #1461				190367
5. ROBERT MERRILL #424				590249
6. SUSAN MEYERS #822				600441
7. DANA PRINCE #1615				730224
8. LINDA JACK #1411				450280
9. XAVIER MARTINEZ #906				560385
10. MARK PAYNE #780	↓	↓	↓	680326
11. SCOTT BEERY	INMATE	TRAVIS COUNTY JAIL	TRAVIS	080343
12. MICHELLE WOOD	INSURANCE	6604 OSAGE TR., PLANO, TX 75023	COLLIN	OUT OF COUNTY
13.				
14. EACH WITNESS IS TO BRING ALL NOTES, MEMOS AND ANY OTHER				
15. DOCUMENTATION IN THEIR POSSESSION OR SUBJECT TO THEIR CONTROL OR ACCESS PERTAINING TO THIS CASE.				

These witnesses are to be and appear on the 14th day of SEPTEMBER, 19 92, at 9:00 o'clock A .M., at the Courthouse in Austin, Texas in the 167th District Court of Travis County, Texas.

Scott C. Smith

ATTORNEY FOR STATE/DEFENDANT

TO ANY SHERIFF OR PEACE OFFICER OF THE STATE OF TEXAS - - - GREETINGS:

You are commanded to summon the above named witnesses to be and personally appear at 9:00 o'clock A .M., on the 14th day of SEPTEMBER, 19 92, before the 167th District Court of Travis County, Texas, then and there to testify and the truth to speak on behalf of the Defendant in the above styled and numbered cause, and there to remain from day to day, and from term to term, until discharged, and due return hereof make according to law.

Issued and given under my hand and seal of said Court in the City of Austin, Texas this the 8 day of September, 19 92.

AMALIA RODRIGUEZ-MENDOZA
District Clerk, Travis County, Texas

By: _____
Deputy

Name of Witness	Avocation	Street Address	County
1. JOHN PENDERGRASS #861	POLICE OFFICER	A.P.D. 715 E. 8th St	TRAVIS
2. MICHAEL McDONALD #1041			
3. KEITH BUCY #452			
4. CRAIG LIGON #1461			
5. ROBERT MERRIS #424			
6. SUSAN MAYERS #822			
7. DANA PRINCE #1615			
8. LINDA JACK #1411			
9. XAVIER MARTINEZ #906			
10. MARK PAYNE #780	↓	↓	↓
11. SCOTT BEERY	INMATE	TRAVIS COUNTY JAIL	TRAVIS
12. MICHELLE WOODS	INVESTIGATOR	6604 OSAGE TR., PLANO, TX 75023	COLLIN
13.			
14. EACH WITNESS IS TO BRING ALL NOTES, MEMOS AND ANY OTHER			
15. DOCUMENTATION IN THEIR POSSESSION OR SUBJECT TO THEIR CONTROL OR ACCESS PERTAINING TO THIS CASE.			

These witnesses are to be and appear on the 14th day of SEPTEMBER, 1992, at 9:00 o'clock A.M., at the Courthouse in Austin, Texas in the 167th District Court of Travis County, Texas.

Scott Smith

ATTORNEY FOR STATE/DEFENDANT

TO ANY SHERIFF OR PEACE OFFICER OF THE STATE OF TEXAS - - - GREETINGS:

You are commanded to summon the above named witnesses to be and personally appear at 9:00 o'clock A.M., on the 14th day of SEPTEMBER, 1992, before the 167th District Court of Travis County, Texas, then and there to testify and the truth to speak on behalf of the Defendant in the above styled and numbered cause, and there to remain from day to day, and from term to term, until discharged, and due return hereof make according to law.

Issued and given under my hand and seal of said Court in the City of Austin, Texas this the 8 day of September, 1992.

AMALIA RODRIGUEZ-MENDOZA
District Clerk, Travis County, Texas

By: _____
Deputy

Name of Witness	Avocation	Street Address	County
1. John Pendergrass #861	Police Officer	A.P.D. 715 E. 8th Street	Travis
2. Michael McDonald #1041			
3. Keith Burt #452			
4. Craig Ligon #1461			
5. Robert Merrill #424			
6. Susan Myers #822			
7. Dana Reiner #1615			
8. Linda Jack #1411			
9. Xavier Martinez #906			
10 Mark Payne #780	✓	✓	✓
11 Scott Berry	Inmate	Travis County Jail	
12 Michelle Wood	Insurance	6604 Osage Tr. Plano, TX	Collin
13. Each witness is to bring all notes, memos, and any other documentation			
14. in their possession or subject to their control or access pertaining to			
15. this case.			

These witnesses are to be and appear on the 28th day of September, 19 92, at 9:00 o'clock A .M., at the Courthouse in Austin, Texas in the 167th District Court of Travis County, Texas.

ATTORNEY FOR STATE/DEFENDANT

TO ANY SHERIFF OR PEACE OFFICER OF THE STATE OF TEXAS - - - GREETINGS:

You are commanded to summon the above named witnesses to be and personally appear at 9:00 o'clock A .M., on the 28th day of September, 19 92, before the 167th District Court of Travis County, Texas, then and there to testify and the truth to speak on behalf of the Defendant in the above styled and numbered cause, and there to remain from day to day, and from term to term, until discharged, and due return hereof make according to law.

Issued and given under my hand and seal of said Court in the City of Austin, Texas this the 21st day of Sept, 1992.

AMALIA RODRIGUEZ-MENDOZA
District Clerk, Travis County, Texas

By: Elizabeth Cunningham
Deputy

Name of Witness	Avocation	Street Address	County
1. JOHN RODRIGUEZ #861	POLICE OFFICER	A.P.D. 715 E. 8th St.	TRAVIS
2. MICHAEL McDONALD #1041			
3. KEITH BURT #452			
4. CRAIG UGON #1461			
5. ROBERT MECHE #424			
6. SUSAN MYERS #822			
7. DANA RENIER #1615			
8. LINDA JACK #1411			
9. JAVIER MARTINEZ #906			
10. MARK PAYNE #780	↓	↓	↓
11. SCOTT BERRY	INMATE	TRAVIS COUNTY JAIL	TRAVIS
12. MICHELLE WOOD	TRAVELING	6604 OSAGE TR, PLANO, TX 75023	COLLIN
13.			
14. EACH WITNESS IS TO BRING ANY NOTES, MEMOS, AND ANY OTHER			
15. DOCUMENTATION IN THEIR POSSESSION OR SUBJECT TO THEIR CONTROL OR ACCESS PERTAINING TO THIS CASE			

These witnesses are to be and appear on the 17th day of SEPTEMBER, 1992, at 9:00 o'clock A.M., at the Courthouse in Austin, Texas in the 167th District Court of Travis County, Texas.

ATTORNEY FOR STATE/DEFENDANT

TO ANY SHERIFF OR PEACE OFFICER OF THE STATE OF TEXAS - - - GREETINGS:

You are commanded to summon the above named witnesses to be and personally appear at 9:00 o'clock A.M., on the 17th day of SEPTEMBER, 1992, before the 167th District Court of Travis County, Texas, then and there to testify and the truth to speak on behalf of the DEFENDANT in the above styled and numbered cause, and there to remain from day to day, and from term to term, until discharged, and due return hereof make according to law.

Issued and given under my hand and seal of said Court in the City of Austin, Texas this the 16 day of September, 1992.

AMALIA RODRIGUEZ-MENDOZA
District Clerk, Travis County, Texas

By: _____
Deputy

Name of Witness	Avocation	Street Address	County
1. JOHN RODRIGUEZ #861	POLICE OFFICER	A.P.D. 715 E. 8th St.	TRAVIS
2. MICHAEL McDONALD #1041			
3. KEITH BURT #452			
4. CRAIG LUGON #1461			
5. ROBERT MORRIS #424			
6. SUSAN MYERS #822			
7. DANA LOWER #1615			
8. LINDA JACK #1411			
9. XAVIER MARTINEZ #906			
10. MARK PAYNE #780			
11. SCOTT BERRY	INMATE	TRAVIS COUNTY JAIL	TRAVIS
12. MICHELLE WOOD	INSURANCE	6604 OSAGE TR, PLANO, TX 75023	COLLIN
13.			
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Scott Berry

ATTORNEY FOR STATE/DEFENDANT

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Issued and given under my hand and seal of said Court in the City of Austin, Texas this the 16 day of September, 1992.

AMALIA RODRIGUEZ-MENDOZA
District Clerk, Travis County, Texas

By: _____
Deputy

Name of Witness	Avocation	Street Address	County
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2. Michael McDonald #1041			
3. Keith Burt #452			
4. Craig Ligon #1461			
5. Robert Merrill #424			
6. Susan Myers #822			
7. Dana Reuter #1615			
8. Linda Tack #1411			
9. Xavier Martinez #906			
10. Mark Payne #780	↓	↓	↓
11. Scott Beery	Inmate	Travis County Jail	Travis
12. Michelle Wood	Insurance	6604 Osage Tr, Plano, Tx 75023	Collin
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ATTORNEY FOR STATE/DEFENDANT

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District Clerk, Travis County, Texas

By: Laurel Cheek
Deputy

DISTRICT COURT OF TRAVIS COUNTY, TEXAS

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By: _____
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District Clerk, Travis County, Texas

By: _____
Deputy

by his attorney with whom he has previously consulted and makes the following voluntary statement:

1. That I am sane and that I understand the nature of the charges contained in the indictment (or information) in this cause;

2. That the Court has advised me orally or in writing of the consequences of a plea of guilty;

3. That I have the right to a trial by jury whether I plead "Guilty", "Not Guilty", or "Nolo Contendere";

4. That I have the right to remain silent, but if I choose not to remain silent, anything I say can be used against me;

5. That I have the right to be confronted with the witnesses against me whether I have a trial before the Court or the jury.

However, I desire to waive and do waive the following rights:

1. The reading of the indictment (or information);

2. The right to be served with a copy of the indictment in this cause ten days prior to arraignment;

3. The right to be arraigned;

4. The right of trial by jury and request the consent and approval of the Court and of the attorney for the State to such waiver;

5. The right to remain silent stating that it is my desire to take the witness stand, knowing anything I may say can be used against me, and judicially confess my guilt;

6. The right to be confronted with the witnesses against me and request the approval of the Court to the stipulation of the evidence by waiving the appearance, confrontation and cross-examination of witnesses, furthermore I consent to the introduction of testimony and evidence by stipulation into the record by the attorney for the State by oral stipulation, or by affidavit, or by written statements of witnesses and any other documentary evidence;

7. The right to service of the indictment, the two-day waiting period for arraignment, the ten-day period for preparation after appointment of counsel, and the ten-day period in which to file written pleadings after arrest;

8. The right to a pre-sentence report and request that none be made.

I understand that any recommendation made by the prosecuting attorney as to punishment is not binding on the Court. That where there is a plea bargain agreement and the punishment assessed by the Court does not exceed the agreed recommendation, I do not have the right to appeal without permission of the Court except for those matters raised by written motions filed prior to trial. I therefore withdraw my pre-trial motions and waive my right to appeal.

I understand that if I receive deferred adjudication, the Court can assess the full range of punishment for the offense charged if the deferred adjudication probation is revoked.

I do admit and judicially confess that I knowingly, intentionally and unlawfully committed the acts alleged in the indictment (or information) in this cause (or the lesser included offense of _____) at the time, place and in the manner alleged and that such allegations are true and correct, that I am in fact GUILTY of the offense alleged.

I voluntarily enter my plea of GUILTY to said offense. My plea is not influenced by any consideration of fear or any persuasion or any delusive hope of pardon. In making my plea of guilty I am not relying on any advice, information or agreement not made known to the Court at this time.

I request the Court to consider probating any sentence imposed, and as to the issue of punishment agree that the pre-sentence investigation report of the Community Supervision and Corrections Department may be considered by the Court.

I understand that if I am not a citizen of the United States that my plea may result in deportation, the exclusion of admission to this country, or denial of naturalization under federal law. There have been no promises made to me by my defense attorney, the prosecutor or the Court concerning my right to stay in the United States.

I understand that if I am convicted in a non-negotiated plea I have the right to appeal to the appropriate Court of Appeals of Texas, and the right to be represented on appeal by an attorney of my choice, but if I am too poor to pay for such attorney or the record on appeal, the Court will , without expense to me, provide an attorney and a proper record for such appeal.

I have not been committed to a mental institution nor do I presently have mental or emotional problems, and I believe that I am competant to stand trial. The attorney for defendant herein acknowledges that counsel believes the defendant is competent and able to assist counsel in the preparation of the defense and that the defendant appears to be sane and competent.

I acknowledge and understand the following admonitions which were explained to me by my attorney prior to entering an oral plea of guilty or nolo contendere.

That I am charged with a felony of the 2nd degree which has a punishment range of:

a. First Degree - by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 5 years or more than 99 years or life, and in addition to imprisonment may be punished by a fine not to exceed $10,000.00;

b. Second Degree - by confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 2 years of more than 20 years and in addition to imprisonment may be punished by a fine not to exceed $10,000.00;

c. Third Degree - confinement in the Institutional Division of the Texas Department of Criminal Justice for a period of not less than 2 years or more than 10 years; or confinement in a community correctional facility for any term of not more than 1 year, and in addition to imprisonment, may be punished by a fine not to exceed $10,000.00.

d. Other -

VOL 0638 PG 427

DEC 18 ... FILED ... DISTRICT ... TRAVIS ...

5-1
12-18-91

IN THE 167 JUDICIAL DISTRICT COURT OF TRAVIS COUNTY, TEXAS

NO. 914976 THE STATE OF TEXAS VS. Chris Lamprecht

ARRAIGNMENT OF THE DEFENDANT ON PLEA OF GUILTY

On this the 18th day of December, A.D., 1991, the defendant, Chris Lamprecht, and his attorney, Scott Smith, being present in open Court and the State's attorney also being present in open Court, and it appearing to the Court that the said defendant is on bail or is in custody and has been duly served with a copy of the indictment/information herein at least two entire days prior to the present day, the Court proceeded to cause the said defendant to be arraigned herein in due form of law, to-wit: the name of the said defendant as stated in the indictment/information was distinctly called, and thereupon the defendant stated that he understood the nature of the charges against him as contained in the indictment/information and waived the reading of the indictment/information and he was asked whether he was guilty or not guilty as therein charged, and the defendant answered in person that he was GUILTY as charged in said indictment/information.

Thereupon, the defendant was admonished by the Court of the consequences of said plea, including the minimum and maximum punishment provided by law, and of his right to remain silent, that he is not required to make a statement and that any statement he makes can be used against him, that he has a right to be confronted with the witnesses against him, and that he has a right to a jury trial, and the said defendant persisted in pleading guilty. It plainly appearing to the Court that the defendant is Mentally Competent and the Court finds his plea to be free and voluntary and the said plea of Guilty is by the Court received and here now entered of record upon the Minutes of the Court as the plea herein of said defendant.

VL 0638 PG 428

JUDGE PRESIDING

FILED

DEC 18 12 50 PM '91

DISTRICT CLERK
TRAVIS COUNTY, TEXAS

167th

NO. 914,976

THE STATE OF TEXAS	*	IN THE 167TH JUDICIAL
	*	
VS.	*	DISTRICT COURT OF
	*	
CHRISTOPHER LAMPRECHT	*	TRAVIS COUNTY, TEXAS

MOTION FOR DISCOVERY AND INSPECTION OF EVIDENCE

TO THE HONORABLE JUDGE OF SAID COURT:

The defendant herein, moves this Court for an Order pursuant to Article 39.14 C.C.P. and the constitutional due process mandates enunciated in Brady v. Maryland, 373 U.S. 83 (1963), and its progeny, directing the prosecution to permit discovery and inspection or copying of each of the following items:

1. All written or recorded statements made by the defendant within the possession, custody or control of the prosecution, or any agency of the state, the existence of which is known, or by the exercise of due diligence may become known, to the prosecution.

_____ Granted _____ Denied

2. The substance of all oral statements which the prosecution intends to offer in evidence made by the defendant (a) in response to interrogation by any law enforcement agent, or (b) during a conversation with any person who in fact was a law enforcement agent or informer or who is now a prosecution witness.

_____ Granted _____ Denied

3. The substance of all oral statements relevant to the charges herein made by the defendant to any person.

_____ Granted _____ Denied

4. The results and reports of any and all physical and mental examinations or scientific tests or experiments made in connection with this case, which are within the possession, custody or control of the prosecution, or any agency of the state, the existence of which is known, or by the exercise of due diligence may become known to the prosecution and which are material to the preparation of the defense or intended for use by the prosecution as evidence in chief at the trial. Provide specifically: (a) a description of the test; (b) the date it was performed; (c) the name, address and telephone numbers of the persons performing the test; (d) any reports, notes or memoranda, photographs, diagrams, or the like made in connection with the test; (e) a sample of the material tested.

Velma Rodriguez Deputy
DISTRICT CLERK
TRAVIS COUNTY, TEXAS

_____ Granted _____ Denied

5. A copy of the prior criminal record, if any, of the defendant, and a statement of the use, if any, the prosecution intends to make of it at trial.

_____ Granted _____ Denied

6. A list of the names, addresses, telephone numbers and qualifications of all experts the prosecution intends to call as witnesses at trial, together with all reports made by such experts, or if no report has been made, the substance of the opinion to which expert is expected to testify and the factual basis for each such opinion.

_____ Granted _____ Denied

7. A statement as to whether the prosecution intends to offer "other crimes, wrongs or acts" evidence against the defendant pursuant to Texas Rules of Criminal Evidence $ 404. If yes, provide a specific factual statement describing the alleged "similar acts."

_____ Granted _____ Denied

8. The names, addresses and telephone numbers of all persons the prosecution intends to call as witnesses at trial.

_____ Granted _____ Denied

9. All written or recorded statements made by each of the witnesses the prosecution intends to call at trial.

_____ Granted _____ Denied

10. Copies of all documents, statements, and any other evidence including, but not limited to, a written summary of all oral evidence and statements, now known to the prosecution, or any agency of the state, or which may become known or which through due diligence may be learned from the investigating agents or witnesses in this case or persons interviewed in connection with the investigation, which is exculpatory in nature or favorable to the defendant, or which tends to mitigate or negate the guilt of the defendant as to the offenses charged, or which would tend to reduce the punishment therefor. Include the names, addresses and telephone numbers of all persons who know or may know of any such favorable to defendant or exculpatory material or who may lead to persons or material which may be favorable or exculpatory. Also include all written or recorded statements or the substance of same by any person which are in any way conceivably inconsistent with the testimony or expected testimony such person will give at trial and any other evidence which otherwise reflects upon the credibility, competency, bias or motive of the prosecution's witnesses.

Specifically include a list of the names and identification numbers of all law enforcement officers present when the defendant was detained.

_____ Granted _____ Denied

11. All investigative and arrest reports made in connection with this case. Include all written notes or memoranda used in preparing such reports. Also include any other written notes or memoranda prepared by any law enforcement officers who were present when the defendant was arrested.

_____ Granted _____ Denied

12. With respect to each witness the government intends to call at trial, or any member of the immediate family of any such witness, attach copies of all indictments, complaints, or information brought against such person by the federal, or any state or local government, all disciplinary, licensing, tax, customs or immigration proceedings brought by the federal, or any state or local government, and state what counts or actions have been the subject of guilty pleas, convictions, dismissals or understandings to dismiss at a future date; the date or dates on which pleas of guilty, if any, took place; and the names of the judges or hearing officers before whom such pleas were taken. If the government does not have copies of all indictments, complaints, information, or disciplinary, licensing, tax, customs, or immigrations proceedings, state the dates and places of arrests, hearings, indictments, and information, the charges brought, and the disposition of those charges or matters so far as it is known to the government.

_____ Granted _____ Denied

13. Any information to the effect that all or some of the evidence which may be utilized by the prosecution at trial or the fruits of which may be utilized by the prosecution at trial was illegally or improperly obtained or was obtained even partially as a result of the improper acquisition of some other evidence or information.

_____ Granted _____ Denied

14. Copies of all search and arrest warrants and supporting affidavits, obtained for the premises, possessions or person of Defendant, copies of any document or tangible object obtained pursuant to any search warrant, arrest or otherwise from the premises, possessions or person of Defendant.

_____ Granted _____ Denied

15. All books , papers, documents, photographs, tangible objects and statements made by the defendant or any prospective witness which are within the possession, custody or control of the

prosecution or any agency of the state and which are intended for use by the prosecution as evidence in chief at the trial.

_____ Granted _____ Denied

16. All books, papers, documents, photographs and tangible objects which are within the possession, custody or control of the prosecution or any agency of the state and which are material to defense preparation.

_____ Granted _____ Denied

17. All books , papers, documents, photographs and tangible objects which were obtained from the defendant or belonged to the defendant.

_____ Granted _____ Denied

18. With respect to each witness the government intends to call at trial, or any member of the immediate family of any such witness set forth a summary of all charges or tax proceedings which could be brought by the federal, or any state or local government, but which have not or may not or which the witness believes have not or may not be brought because the witness is cooperating with or has cooperated with the government, or for any other reason. Include copies of all memoranda of understandings between the government and its witnesses, whether by way of a letter to the attorney for a witness or otherwise.

_____ Granted _____ Denied

19. Describe all government inducements, promises, rewards, payments, witness fees and agreements made with any witness the government intends to call at trial. State the date made and any sums involved. Disclose all information which may bear on the credibility of any witness the government intends to call at trial and all information bearing on his relationship to any government agency or agent, and any informant services or other services or acts performed by him with the knowledge, acquiescence, or at the instance of the government. This request embraces any inducements or promises or benefits conferred on any other person at the behest of any individual whom the prosecution intends to call as a witness at the trial, such as spouses or other family members of the potential witness.

_____ Granted _____ Denied

20. Describe all deals, understandings, arrangements, assurances and promises between the prosecution or any other law enforcement agency and any prosecution witnesses, including understandings as to guilty pleas to less than an entire indictment, recommendation as to length, nature or concurrence of sentence or as to place of incarceration and all agreements not to indict or prosecute.

_____ Granted _____ Denied

21. Describe any and all actions, promises or efforts - formal or informal - on the part of the prosecution, its agents and representatives to aid, assist or obtain benefits of any kind for any person whom the prosecution considers a potential witness at trial, or a member of the family of such witness, or for the corporation, partnership incorporated association or business employing such potential witness or in which the witness is an employee, shareholder, director trustee, partner, member, agent or servant.

_____ Granted _____ Denied

22. All documents and other evidence regarding drug and alcohol usage and/or dependency by any individual the prosecution intends to use as a witness at trial including but not limited to records relating to the treatment of such individual in any federal, state, city or military drug or detoxification program.

_____ Granted _____ Denied

23. All documents and other evidence regarding any physical or mental disease, disability, or disorder affecting any individual the prosecution intends to use as a witness at trial, including but not limited to records of hospitalization or other treatments for such physical or mental disease, disability or disorder.

_____ Granted _____ Denied

24. A statement as to whether immunity was given in connection with presentation of the indictment in this case to the Grand Jury or in connection with the presentation of any aspect of proof relating to the charges contained within the indictment. Identify the recipient of the grant of immunity and the terms and conditions thereof.

_____ Granted _____ Denied

25. Any information indicating whether any potential prosecution witness may, either as a matter of law or as a matter of fact, be considered an accomplice to the crimes charged.

_____ Granted _____ Denied

26. The defendant requests that each of the above be considered to be a continuing request and demand and that the prosecution, after complying with any request, order or directive for discovery made or entered herein, be directed to promptly notify the defendant's attorney of any additional documents, transcripts, reports, records, statements, property tapes, physical evidence, identities, witnesses or any other evidence, items or information relevant, pertinent or material to the matters embraced

within the four corners of the subject indictment or complaint, discovered by the said prosecutor's office prior to the conclusion of this case, which is subject to or covered by this request or the order or directives of this Court.

_____ Granted _____ Denied

In support hereof, the Defendant would show this Court that the production of all of the above evidence is the only fair and proper method of showing the good faith of the State in this case, the truth of all such matters which the State intends to introduce into evidence against the Defendant, and to insure that the Defendant has adequate time to inspect, examine, and test all of such evidence for its respective validity, authenticity and identity.

In further support of this motion, the Defendant would show the Court as follows:

1. The items requested are in the exclusive possession and control of the State of Texas or the United States Government by and through its agents, the police or the prosecuting attorney's office, and the Defendant has no other means of ascertaining the disclosures requested.

2. The items requested are not privileged.

3. The items and information are material to this cause and the issues of guilt or innocence and punishment to be determined in this cause.

4. The Defendant cannot safely go to trial without such information and inspection, nor can the Defendant adequately prepare the defense to the charges against him.

5. That absent such discovery the Defendant's rights under Article 39.14, C.C.P., Article I, Section 10 of the Constitution of the State of Texas, and the Fourth, Fifth, Sixth and Fourteenth Amendments to the Constitution of the United States of America will be violated, to his irreparable injury and thus deprive the Defendant of a fair trial herein. Brady v. Maryland, 373 U.S. 83 (1963); Giglio v. United States, 405 U.S. 150 (1972); Moore v. Illinois, 408 U.S. 786 (1972); United States v. Agurs, 427 U.S. 97 (1976); Bowen v. Maynard, 799 F. 2d (10th Cir. 1986).

WHEREFORE, Defendant respectfully prays as follows:

a. that the Court enter an order granting all discovery requested in this motion and that failure to produce any such discovery within two weeks of the trial of this cause constitute a bar to its use at trial;

b. that such items of discovery as the prosecution might assert as privileged or otherwise not subject to discovery be reviewed by this honorable Court in camera, and that any such discovery determined by the Court to be exempt therefrom be deposited with the Court for preservation to facilitate any necessary appellate review;

c. that defendant be allowed to supplement and amend this discovery request as the disclosure of information provides further basis of relief;

d. that defendant be permitted to file such other motions as may become necessary, based on further disclosure of other information not presently available to defendant; and

e. that defendant be granted such other and further relief as the Court deems just and proper.

Respectfully submitted,

Scott C. Smith
Attorney for Defendant
State Bar No. 18682700
603 W. 12th Street
Austin, Texas 78701
PH: 512/474-6484

CERTIFICATE OF SERVICE

By the execution of my signature above I, Scott C. Smith, hereby certify that a true and correct copy of the above foregoing Defendant's Motion for Discovery and Inspection has been served by hand delivery to the District Attorney's Office, the Stokes Building, 314 W. Eleventh St. Austin, Texas on this the 6th day of NOVEMBER, 1991.

NO. 914,976

THE STATE OF TEXAS	*	IN THE 167TH JUDICIAL
	*	
VS.	*	DISTRICT COURT OF
	*	
CHRISTOPHER LAMPRECHT	*	TRAVIS COUNTY, TEXAS

ORDER ON MOTION FOR DISCOVERY AND INSPECTION OF EVIDENCE

On this day, the Court considered, Defendant's Motion for Discovery and Inspection of Evidence.

After reviewing the evidence and arguments of counsel the Court ORDERS that those elements of said Motion as indicated are hereby GRANTED. The Court hereby ORDERS the State to produce and permit the inspection and copying of those items, and DENIES those elements of said Motion as indicated, to which action of the Court the Defendant duly excepts.

SIGNED AND ORDERED ENTERED this the _____ day of _____, 1991.

_____
PRESIDING JUDGE

167th

NO. 914,976

THE STATE OF TEXAS	*	IN THE 167TH JUDICIAL
	*	
VS.	*	DISTRICT COURT OF
	*	
CHRISTOPHER LAMPRECHT	*	TRAVIS COUNTY, TEXAS

MOTION TO SUPPRESS

COMES NOW, the Defendant in the above entitled and numbered cause, and through his attorney of record, SCOTT C. SMITH, pursuant to the Texas Code of Criminal Procedure, the Constitution of the United States of America, and the Constitution of the State of Texas, moves the Court to suppress certain evidence in this cause, and as reason therefore would show the Court the following:

I.

The Defendant was stopped, seized and arrested and a search conducted in Travis county without a valid warrant or probable cause.

II.

On the occasion in question, or soon thereafter, the State, by its police officers and agents, did obtain the following items of evidence which it is anticipated may be used by the State in the prosecution of this case against the Defendant, which items of evidence were illegally obtained in that they were obtained in violation of Defendant's rights afforded him by the laws and constitutions of the United States and the State of Texas:

a. Purported voluntary written or oral statements by the accused;

b. All tangible evidence including items allegedly used by the Defendant in the furtherance of the alleged crime for which he is charged, including any alleged contraband;

c. Items taken from the scene of the alleged crime;

d. Testimony of law enforcement officers or agents of the State derived from the illegal detention or search;

e. All fruits and instruments of the alleged offense.

III.

The arrest, seizure and search of the defendant were without valid warrant, reasonable suspicion or probable cause and otherwise in violation of the United States Constitution, Amendments IV, V, VI, IX and XIV, the Constitution of the State of Texas Art, 1, sections 9, 10 and 19 the Texas Code of Criminal Procedure and the Texas Penal Code.

DISTRICT CLERK

Alternately, the warrant, suspicion or probable cause, if any, was itself the fruit of an unlawful search and/or seizure.

The unlawful stop, seizure, arrest and search was a pretext to secure evidence of an offence other than that for which a probable cause existed or for an otherwise unlawful purpose in violation of the United States Constitution, Amendments IV, V, VI IX and XIV, the Constitution of the State of Texas Art, 1, sections 9, 10 and 19 the Texas Code of Criminal Procedure and the Texas Penal Code.

The observations statements tangible evidence and other items of evidentiary nature so obtained were the produce of or derived indirectly or directly from this unlawful stop, seizure, arrest or search and in violation of the United States Constitution, Amendments IV, V, VI IX and XIV, the Constitution of the State of Texas Art, 1, sections 9, 10 and 19 the Texas Code of Criminal Procedure and the Texas Penal Code.

WHEREFORE, premises considered, Defendant moves the Court to require the State to appear and show cause on a date certain why this cause should not be dismissed without further prosecution thereon for lack of probable cause and thereafter, order this cause to be dismissed without further prosecution thereon and Defendant, in the alternative moves the Court to require the State to appear and show cause on a date certain why such evidence should not be suppressed and thereafter, order the State not to in any manner refer to such evidence or introduce same in the prosecution of this cause.

Respectfully submitted,

Scott C. Smith
Attorney for Defendant
State Bar No. 18682700
603 W. 12th. St.
Austin, Texas 78701
PH: 512/474-6484

CERTIFICATE OF SERVICE

By the execution of my signature above, I, Scott C. Smith, hereby certify that a true and correct copy of the above foregoing Defendant's Motion to Suppress has been served by hand delivery to the District Attorney's Office, the Stokes Building, 314 W. Eleventh St., Austin, Texas on this the 6th day of November, 1991.

NO. 914,976

THE STATE OF TEXAS	*	IN THE 167TH JUDICIAL
	*	
VS.	*	DISTRICT COURT OF
	*	
CHRISTOPHER LAMPRECHT	*	TRAVIS COUNTY, TEXAS

ORDER ON MOTION TO SUPPRESS

ON THIS, _____ day of _____, 1991, came on to be heard, Defendant's Motion to Suppress in the above styled and numbered cause.

After reviewing the evidence and arguments of counsel the Court ORDERS Defendant's Motion is hereby Granted.

SIGNED AND ORDERED ENTERED this the _____ day of _____, 1991.

_____
PRESIDING JUDGE